

July 6, 2016

APPROVED BY


DEPARTMENT DIRECTOR

FROM: MIKE SANCHEZ, Assistant Director 
Development and Resource Management Department

THROUGH: MCKENCIE CONTRERAS, Supervising Planner 
Development Services Division

BY: LAUREN FILICE; Planner III
Development Services Division

SUBJECT

Consideration of Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, Development Permit Application No. D-16-031 and related Environmental Assessment No. A-16-005/R-16-006/D-16-031, filed by Nick Yovino Jr. of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC. These applications pertain to approximately ±2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues.

RECOMMENDATION

1. RECOMMEND APPROVAL (to the City Council) of the adoption of the Mitigated Negative Declaration prepared for Environmental Assessment (EA) No. A-16-005/R-16-006/D-16-031 dated June 3, 2016 for purposes of the proposed project.
2. RECOMMEND APPROVAL (to the City Council) of Plan Amendment Application No. A-16-005 proposing to amend the Fresno General Plan and Woodward Park Community Plan to change the planned land use designation for the subject property from *Medium Low Density Residential* planned land use to the *Medium High Density Residential* planned land use designation.
3. RECOMMEND APPROVAL (to the City Council) of Rezone Application No. R-16-006 to rezone the subject property from the RS-4/UGM (*Residential Single Family, Medium low Density/Urban Growth Management*) zone district to the RM-1/UGM (*Residential Multiple Family, Medium High Density/Urban Growth Management*) zone district.
4. RECOMMEND APPROVAL (to the City Council) of Development Permit Application No. D-16-031 proposing a gated, 34-unit multiple family residential development in three buildings with enhanced architectural features, including concrete roof tiles, stucco and stone veneers, decorative railings and window treatments, and courtyards central to each building. Landscaping for the project is dense along property lines to promote privacy and within the project to compliment architectural features and a colored concrete entry drive, landscaping, and wrought iron fencing along East Shepherd Avenue., subject to the Conditions of Approval dated July 6, 2016.

EXECUTIVE SUMMARY

Nick Yovino Jr., of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, filed Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 which pertain to ± 2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues in the City of Fresno.

Plan Amendment Application No. A-16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan to change the planned land use designation for the subject property from the *Medium Low Density Residential* planned land use to the *Medium High Density Residential* planned land use designation.

Rezone Application No. R-16-006 proposes to rezone the subject property from the RS-4/UGM (*Residential Single Family, Medium low Density/Urban Growth Management*) zone district to the RM-1/UGM (*Residential Multiple Family, Medium High Density/Urban Growth Management*) zone district.

The plan amendment and rezone applications have been filed in order to facilitate approval of Development Permit Application No. D-16-031 which proposes a 34-unit gated multiple family residential development with enhanced architectural features, open courtyards, extensive landscaping and carports.

PROJECT INFORMATION

PROJECT	See description above in executive summary
APPLICANT	Nick Yovino Jr., of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC
LOCATION	1161 East Shepherd Avenue APN: 403-021-03 Located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues in Fresno, CA. (Council District 6, Councilmember Brand)
SITE SIZE	Approximately ±2.27 total acres
LAND USE	Existing - Medium Low Density Residential (3.6-6 units/acre) Proposed - Medium High Density Residential (12–16 units/acre)

ZONING	Existing - <u>RS-4/UGM</u> (<i>Residential Single Family, Medium Low Density/Urban Growth Management</i>) Proposed - <u>RM-1/UGM</u> (<i>Residential Multiple-Family, Medium High Density/Urban Growth Management</i>)
PLAN DESIGNATION AND CONSISTENCY	The proposed <u>RM-1/UGM</u> (<i>Residential Multiple-Family, Medium High Density/Urban Growth Management</i>) zone district classification for the subject property and the proposed development of 34 multiple family residential units on the approximately ±2.27 acre property at a density of approximately 15 dwelling units/acre are consistent with the proposed Medium High Density Residential (12-16 dwelling units/acre) planned land use designation for the subject property.
ENVIRONMENTAL FINDING	Finding of a Mitigated Negative Declaration dated June 3, 2016.
PLAN COMMITTEE RECOMMENDATION	The District 6 Plan Implementation Committee recommended approval of the proposed applications at its regularly scheduled meeting held on April 18, 2016.
STAFF RECOMMENDATION	Recommend that the Planning Commission recommend approval to the City Council of: (1) The adoption of the Mitigated Negative Declaration prepared for Environmental Assessment No. A-16-005/R-16-006/D-16-031; (2) Plan Amendment Application No. A-16-005; (3) Rezone Application No. R-16-006; and, (4) Development Permit Application No. D-16-031 subject to compliance with the Conditions of Approval dated July 6, 2016 and the findings contained herein below.

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Residential, Medium Low Density	RS-4/UGM <i>Residential Single-Family, Medium-Low Density/Urban Growth Management</i>	Single Family Residential
South	Residential, Medium Low Density	RS-4/UGM <i>Residential Single-Family, Medium-Low Density/Urban Growth Management</i>	Single Family Residential

East	Public Facilities-Church	PI/UGM <i>Public and Institutional/Urban Growth Management</i>	First Millbrook Baptist Church
West	Residential, Medium Density	RS-5/UGM <i>Residential Single-Family, Medium Density/Urban Growth Management</i>	Single Family Residential

ENVIRONMENTAL FINDING

An environmental assessment was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations.

Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies pertinent to the Woodward Park area, including the Fresno General Plan Master Environmental Impact Report (MEIR SCH No. 2012111015). These environmental and technical studies have examined projected sewage generation rates of planned urban uses, the capacity of existing sanitary sewer collection and treatment facilities, and optimum alternatives for increasing capacities; groundwater aquifer resource conditions; water supply production and distribution system capacities; traffic carrying capacity of the planned major street system; and, student generation projections and school facility site location identification.

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report (MEIR) prepared for the Fresno General Plan (SCH # 2012111015) as provided by CEQA, as codified in the Public Resources Code (PRC) Section 21157.1(d) and CEQA Guidelines Section 15177(c). Therefore, the Development and Resource Management Department proposes to adopt a Mitigated Negative Declaration for this project.

It has been further determined that all applicable mitigation measures identified within the Fresno General Plan MEIR have been applied to the project, together with project specific mitigation measures necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects beyond those identified by MEIR as provided by CEQA Section 15178(a). In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), staff has determined that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance

with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2).

Based upon the attached environmental assessment and with the project specific mitigation imposed, staff has determined that there is no substantial evidence in the record that the project may have a significant direct, indirect or cumulative effect on the environment and has prepared a mitigated negative declaration for this project. A public notice of the attached mitigated negative declaration finding for Environmental Assessment No. A-16-005/R-16-006/D-16-031 was published on June 3, 2016 with no comments or appeals received to date.

BACKGROUND / ANALYSIS

Nick Yovino Jr., of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, filed Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 which pertain to \pm 2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues. The adjacent land use to the west and south are developed with single family residences. North of the site, across Shepherd Avenue, is also developed with single family residences. The 2+ acre property adjacent to the east is developed as a church.

The current application, Plan Amendment Application No. A-16-005, proposes to amend the Fresno General Plan and Woodward Park Community Plan to change the planned land use designation of Medium Low Density Residential to the Medium High Density Residential planned land use designation. Rezone Application No. R-16-006 proposes to rezone the subject property from the RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) zone district to the RM-1/UGM (*Residential Multiple-Family, Medium High Density/Urban Growth Management*) zone district. The plan amendment and rezone applications, along with a development permit application have been filed in order to facilitate approval of a proposed 34-unit gated multiple family residential development with enhanced architectural features, open courtyards, extensive landscaping and carports.

The project design incorporates a sufficient number of off-street parking stalls (both covered and uncovered), open space that includes central open patio courtyards at each building, lush landscaping in buffer areas, a palm motif landscaping surrounding buildings, and a multi-textured attractive appearance for all exterior elevations.

The project proposes a total of 34 units, including 10 one-bedroom, 22 two-bedroom, and 2 three-bedroom units. The project requires 35 covered parking stalls, while the applicant proposes 52 covered carports and 10 open parking stalls, totaling 62 parking spaces. Common open space areas are equal to 38 percent of lot coverage. Spaces between buildings have been afforded and designed in a manner which will provide opportunities for both passive and active recreation for prospective residents and tenants; including paved courtyards at the center of each building. Buildings are designed with enhanced architectural features, including concrete roof tiles, stucco and stone veneers, decorative railings and window treatments. Landscaping for the project is dense along property lines to promote privacy and utilizes a Palm Tree motif within the project to compliment architectural features. A colored concrete entry

drive, palm motif landscaping, and wrought iron fencing are proposed along East Shepherd Avenue.

Land Use Plans and Policies

Fresno General Plan

As proposed, the project would be consistent with the Fresno General Plan goals and objectives related to residential land use and the urban form:

Goal No. 7 of the Fresno General Plan encourages the City to provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.

Goal No. 8 of the Fresno General Plan encourages the development of Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance. Healthy communities demonstrate efficient development patterns providing for: Sufficient affordable housing development in appropriate locations; A mix of land uses and a built environment that supports walking and biking; Multimodal, affordable transportation choices; and, Safe public spaces for social interaction.

Goal No. 10 of the Fresno General Plan emphasizes increased land use intensity and mixed-use development at densities supportive of greater transit in Fresno. Greater densities are recognized as being achievable through encouragement, infrastructure, and incentives for infill and revitalization along major corridors and in Activity Centers.

These General Plan Goals contribute to the establishment of a comprehensive city-wide land use planning strategy and incorporate the following Objectives and Implementing Policies:

Objective LU-1 calls for the achievement of efficient and equitable use of resources and infrastructure, and creation of an attractive living environment; Objective LU-2 calls for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents; Objective LU-5 calls for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities; and, Implementing Policy LU-5-d promotes medium high density residential uses to optimize use of available or planned public facilities and services and to provide housing opportunities with convenient access to employment, shopping, services, and transportation.

The proposed project introduces and integrates elements of a compact community that includes community open spaces, walkable access to parkland, commercial services and transit stops in manner which affords a diversity of housing types and a wider range of affordability in a compatible relationship. Community shopping centers are located with one-half mile of the project site at East Shepherd Avenue and North Cedar Avenue on the east, and at East Champlain Drive and East Perrin Avenue to the north. Sugarpine Trail aligns along

Shepherd Avenue for walking and bicycling, and Fresno Area Transit stops are located nearby on Shepherd Avenue. The project is located within 1,500 feet of Clovis West High School to the south and Keith Tice Park and $\frac{3}{4}$ mile of Layne Park. The demand for parks generated by the project is within planned services levels of the City of Fresno Parks and Community Services Department and the applicant will pay any required impact fees at the time building permits are obtained.

The Fresno General Plan acknowledges that the sound planning principles for creating Complete Neighborhoods anticipate and plan in advance all amenities needed in a neighborhood to ensure quality and lasting property values before the residential units are built instead of trying to piecemeal those amenities after the fact. The location of the subject property adjacent to East Shepherd Avenue between North Cedar and North Millbrook Avenues affords immediate access and proximity to the Shepherd Avenue activity corridor with planned trail systems, transit stops, and a range of employment opportunities as well as both existing and planned neighborhood and community serving retail services on three corners of the major street intersection.

Commercial and office employment centers are located within one-half mile of the project site. Easterly, an approximately 11-acre community commercial shopping center at the northeast corner, and an 8+acre community commercial shopping center in the southwest corner of the intersection of East Shepherd and North Cedar Avenues are developed. An additional approximately 4+ acres of land is currently under development in the northeast corner of East Champlain and North Hickory Drives. Northwest of the project site, at the intersection of East Champlain Drive and East Perrin Avenue, 21+acres are developed as community commercial and 9+acres are developed with office uses.

Therefore, the proposed amendment to change the planned land use designation of the approximately 2.27-acre subject property from *Medium Low Density Residential* planned land use to the *Medium High Density Residential* planned land use will not impact availability of employment and/or commercial land uses to serve the area.

The proposed project effectively increases density within an area which has been historically developed with residential tracts ranging from medium to medium-low densities. The location of the proposed project intensifies activity along the Shepherd Avenue major street corridor between existing and planned commercial development and lower density residential and office uses thereby providing a land use and product which will afford diversity while remaining compatible and complementary to adjacent development within the area.

Objective UF-12 of the Fresno General Plan directs the City to locate roughly one-half of future residential development in infill areas, defined as being within the City on December 31, 2012. This project is considered infill development, given that the subject property was annexed to the City of Fresno as part of Annexation No. 886, December 20, 1979.

Therefore, the proposed project introduces and integrates the characteristic elements and benefits of a compact self-sufficient community, which includes walkable access to commercial services, transit stops and open space amenities, thereby affording a unique opportunity for

future residents to enjoy the convenient and healthy lifestyle of living within a Complete Neighborhood.

Woodward Park Community Plan

Woodward Park Community Plan goals are directed toward (1) The provision of a diversity of housing types, densities, and locations with respect to housing opportunities; (2) Providing for balanced growth and efficient use of resources and public facilities; and, (3) Providing maintenance of a safe, attractive, and stable community (Residential Uses – Goal 1-3). The proposed project is within one-quarter mile of the intersection of East Shepherd Avenue and East Champlain Drive, within one-third mile of the planned office/shopping center at East Champlain Drive and East Perrin Avenue.

Therefore it is staff's opinion that the proposed project is consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno. Furthermore, the proposed project, including the design and improvement of the subject property, is found; (1) to be consistent with the goals, objectives and policies of the applicable Fresno General Plan and Woodward Park Community Plan; (2) to be suitable for the type and density of development; (3) to be safe from potential cause or introduction of serious public health problems; and, (4) to not conflict with any public interests in the subject property or adjacent lands.

Public Resources

The Department of Public Utilities (DPU) has determined that adequate sanitary sewer and water services are available to serve the project site subject to implementation of the Fresno General Plan policies and the mitigation measures of the related Master Environmental Impact Report and the construction and installation of public facilities and infrastructure in accordance with Department of Public Works standards, specifications and policies. The proposed project will be required to install sewer branches, and to pay connection and sewer facility fees to provide for reimbursement of preceding investments in sewer trunks to connect this site to a public system.

Implementation of the Fresno General Plan policies and the mitigation measures of the associated Master Environmental Impact Report, along with the implementation of the Water Resources Management Plan and the identified project related conditions of approval, which include water main extensions within the proposed project and installation of services with meters will provide an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

The project site is located within the city's Urban Growth Management Area and shall comply with the applicable service delivery requirements necessary to provide not less than the minimum acceptable level of fire protection facilities and services appropriate for urban uses. The City of Fresno Fire Department has conditioned the proposed project with requirements for installation of public fire hydrants and the provision of adequate fire flows per Public Works Standards, also with two sources water. Review for compliance with fire and life safety requirements for the interior of proposed buildings and the intended use are reviewed by both

the Fire Department and the Building and Safety Services Section of the Development and Resource Management Department when a submittal for building plan review is made as required by the California Building Code.

The Fresno Metropolitan Flood Control District has indicated that as a condition of the rezone, the developer be required to mitigate the impacts of the increased runoff from the proposed medium-high density residential land use to a rate that would be expected if developed to a medium-low density residential land use. Drainage from the site shall be directed to East Shepherd Avenue where conveyance infrastructure is located. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance. The cost of the construction of Master Plan Facilities, excluding dedication of storm drainage easements, is eligible for credit against the drainage fee.

Circulation Element Plan Policies and Major Street System Traffic Capacity

The subject site is comprised of approximately 2.27-acres of property located on the south side of East Shepherd Avenue between North Cedar and North Millbrook Avenues. The subject property is located in close proximity to residential and commercial land uses which provide for a pattern of development that is anticipated to have the potential to reduce the number of average daily vehicle trips. Access to the site will be provided through the dedication and improvement of East Shepherd Avenue alignment and a new private street to provide access to the interior of the subject property. The East Shepherd Avenue access will include a gated entrance/exit by remote or key pad and will serve residents, guests, and any service and/or maintenance related trips.

Fresno General Plan Policy MT-2-i requires that all plan amendments prepare a Traffic Impact Study (TIS). A Traffic Impact Analysis (TIA), dated May 2, 2016, was completed by JLB Engineering, Inc. for the proposal to construct 34 multi-family residential units. The development is expected to generate an average of approximately 226 average daily trips (ADT). Of these vehicle trips it is projected that seventeen (17) will occur during the morning (7 to 9 a.m.) peak hour travel period and twenty-one (21) will occur during the evening (4 to 6 p.m.) peak hour travel period. The comparison of the projected trips over the existing trips is a difference of 102 ADT's, seven (7) morning peak hour, and eight (8) evening peak hour trips. The TIA found that the project would result in fewer than 226 vehicle trips per day, with 17 a.m. and 21 p.m. peak hour trips, which does not exceed the 100 vehicle trips during any peak hour estimated by the General Plan.

The Public Works Department, Traffic and Engineering Division in comments dated May 10, 2016 agreed with the TIA prepared for the project and indicated that the site is located in Traffic Impact Zone (TIZ) III which allows for 100 peak hour trips to be generated by a project before a Traffic Impact Study is required. Because the proposed project is projected to generate less than 100 peak hour trips, a full Traffic Impact Study was not required and the change in traffic was considered to be negligible. However, required street improvements for new construction will include: (1) Right-of-way and public easement dedications; (2) Repair all damaged and/or off grade off-site concrete street improvements; (3) Underground all existing off-site overhead utilities within project limits; and (4) Payment of applicable impact fees including, but not limited

to, the Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fee, and the Regional Transportation Mitigation Fee (RTMF).

While there will be an increase in the amount of traffic on surrounding roads if the site is developed as proposed when compared to the existing single-family developed lot, the increases will not reduce the effectiveness or the performance of the circulation system. The current circulation system was designed to serve the development of the project site. Since this segment of East Shepherd Avenue was dedicated as a public street easement to afford access to the subject property, the land use is proposed to change from single-family residential to multi-family. Through the years of changes, and varying proposals, the traffic impacts of these uses have been evaluated to ensure that East Shepherd Avenue and its surrounding roads are sufficient to serve development of the site. This project does not introduce traffic levels above what East Shepherd Avenue was planned to accommodate.

The area street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to, and recognize the traffic generating characteristics of, individual properties and, at the same time, afford the community an adequate and efficient circulation system.

Setbacks, Landscaping, & Walls

The provisions of the RM-1 zone district of the new Development Code determine setbacks for the project, subject to its surrounding uses. In this case, the adjacent single-family district along the northern half of the western property line increase required setbacks. Minimum rear yards of 20 feet, and side yards of 10 feet are required when a multi-family project is adjacent to single family residences.

The proposed rear yard setback is 20-feet, the east side setback is 10-feet, and the west side is between 20-feet at rear and 40-feet at front, while the front setback is 20 feet to back of curb at East Shepherd Avenue. The applicant proposes carports set between the three proposed buildings aligned east to west on the property and 10 feet off of the east property line adjacent to the church use, while parking on the west side is located 20-feet to 36-feet from the property line that abuts single family homes. The applicant proposes to landscape the 10 foot setback buffer between buildings and carports on the east side, and the 10-foot average buffer on the west side of the property. In addition, a 6-foot high concrete block wall is proposed on the east, west and south property lines to afford privacy between the proposed multiple-family project and existing church and single-family land uses.

A nearby resident at 1158 East Kelso Avenue has expressed concern regarding the proximity of the proposed two-story multiple-family residences to be constructed within 20-feet of their homes. Adjacent single-family residences that infringe upon the required rear yard setback include:

Address	Adjacent Location	Setback Encroachment
1158 East Kelso Avenue	south property line	rear corner built 8-feet from

		property line
1152 East Kelso Avenue	south property line	rear corner built 12-feet from property line
1037 East Monticello Circle	west property line	rear wall built 14- to 16- feet from property line
1039 East Monticello Circle	west property line	Rear corner built 12-feet from property line
1053 East Monticello Circle	west property line	Rear corner built 14-feet from property line

The existing setback deviations shown above were allowed using a 'rear yard encroachment' to reduce the 20-foot rear yard setback required at the time of construction. However, rear yard encroachments are no longer allowed under the Development Code.

The applicant proposes to install a six-foot tall concrete/masonry wall and dense landscaping with irrigation in buffer zones to provide a noise and privacy barrier along property lines. The proposed setbacks at 20-feet, wall and building placements are consistent with the Development Code. Therefore, the proposed project is within the required setback.

Council District Plan Implementation Committee

The District 6 Plan Implementation Committee unanimously (3 absent) recommended approval of the proposed applications at its regularly scheduled meeting held on April 18, 2016. There were no comments from the committee and the project was approved as proposed.

Public Input

The applicant held a neighborhood meeting on June 22, 2016, and noticed property owners within 500-feet of the subject property. The property owner provided an overview of the project, including renderings of the development, followed by a question and answer session. Approximately 22 individuals attended the meeting. Comments and questions centered on concerns with setbacks, traffic, and construction impacts. The project proponent stated the request meets the requirements of the Development Code.

In response to noticing of the Mitigated Negative Declaration for the project, a phone call opposing the project was received from Kelly Zevenberger, the homeowner at 1158 East Kelso Avenue, located immediately south of the subject property. Mr. Zevenberger expressed concerns for the proposed two-story buildings overlooking his rear yard and suggested that a rear-yard building setback greater than 20-feet be required.

Three phone calls were received by staff in response to the mailed notice for the July 6th, 2016 public hearing. The property owners asked general questions related to the proposed development and noted concerns with traffic and asked about building heights. One caller had questions but expressed no concerns with the project.

Plan Amendment and Rezone Findings

Based upon analysis of the application and subject to the applicant's compliance with all of the

conditions of approval noted, staff concludes that the following required findings of Section 15-5812 of the FMC can be made.

FINDINGS PER FRESNO MUNICIPAL CODE SECTION 15-5812.	
<i>Finding A:</i>	The change is consistent with the General Plan goals and policies, any operative plan, or adopted policy;
a. As outlined in the "Land Use Plans and Policies" discussion above, the application is consistent with the General Plan goals and policies, the Woodward Park Community Plan, and other adopted policies.	
<i>Finding B:</i>	The change is consistent with the purpose of the Development Code to promote growth in orderly and sustainable manner, and to promote and protect the public health, safety, peace, comfort, and general welfare;
b. As outlined in the "Land Use Plans and Policies" discussion above, the application is consistent with the purpose of the Development Code to promote growth in an orderly and sustainable manner, support infill development, and to promote and protect the public health, safety, peace, comfort, and general welfare;	
<i>Finding C:</i>	The change necessary to achieve balance of land uses desired by City to provide needed housing or employment-generated uses, consistent with GP, increase inventory of land within zone district to meet market demand.
c. The change in land use will achieve a balance of land uses desired by the City to provide needed housing or employment-generated uses, consistent with the General Plan, as Shepherd Avenue is already sufficiently developed with single-family residential uses. This project provides an increased inventory of land within this type of zone district to meet market demand for multi-family housing in a manner which supports the Complete Neighborhood Concepts included within the General Plan.	

Development Permit Findings

Based upon analysis of the application included in this staff report and the associated environmental assessment, and subject to the applicant's compliance with all of the conditions of approval noted, staff concludes that the following required findings of Section 15-5206 of the FMC can be made.

FINDINGS PER FRESNO MUNICIPAL CODE SECTION 15-5206.	
The Director or Planning Commission may only approve a Development Permit application if it finds that the application is consistent with the purposes of this article and with the following:	
<i>Finding A:</i>	The applicable standards and requirements of this Code.

	<p>a. The project, as proposed, meets the required setbacks for residences and from adjacent single-family uses. Buildings, carports and parking stalls are located near the center of the property and setback a minimum of 10-feet from the adjacent church use, and 20 to 40 feet from adjacent residential uses in conformance with Development Code requirements. As proposed, the project is in compliance with codified requirements for buffer landscaping which necessitates planting and irrigation responsibilities for the property owner. Therefore, this request to construct 34 multiple-family residences complies with the requirements of the Development Code.</p>
<p><i>Finding B:</i></p>	<p>The General Plan and any operative plan or policies the City has adopted.</p>
	<p>b. The proposed project is compliant with the goals and objectives of the Fresno General Plan and Woodward Park Community Plan. These objectives include affording peace and privacy to sensitive uses on neighboring property through the provision of appropriate interface and adjacency standards between different land uses. The separation of multi-story structures and carports from neighboring residential properties mandates that vehicular access/circulation aisles and off-street parking facilities be afforded around the perimeter of the subject property. Required setbacks for structures and parking stalls from interior property lines have been incorporated into the project design.</p>
<p><i>Finding C:</i></p>	<p>Any applicable design guidelines adopted by the City Council; and</p>
	<p>c. The project, as proposed, will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience, nor the preservation and conservation of open space lands. The granting of approval will comply with design guidelines of the Development Code, including building facade and design, building heights, parking lot configuration, and open space, while affording appropriate interface adjacent to sensitive land uses.</p>
<p><i>Finding D:</i></p>	<p>Any approved Tentative Map, Conditional Use Permit, Variance, or other planning or zoning approval that the project required.</p>
	<p>d. There are no other required approvals other than the Plan Amendment and Rezone for which separate findings have been made, above.</p>

Development Permit Application No. D-16-031, subject to the recommended conditions of approval, complies with the design and property development standards of the Fresno Municipal Code. Based upon the plans and information submitted by the applicant and the recommended conditions of project approval, staff has determined that these findings can be made. Action by the Planning Commission regarding the plan amendment, rezone and development permit applications is a recommendation to the Fresno City Council.

CONCLUSION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the Fresno General Plan and the Woodward Park Community Plan; its compatibility with surrounding existing or proposed uses; and its avoidance or mitigation of

potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 is appropriate for the project site.

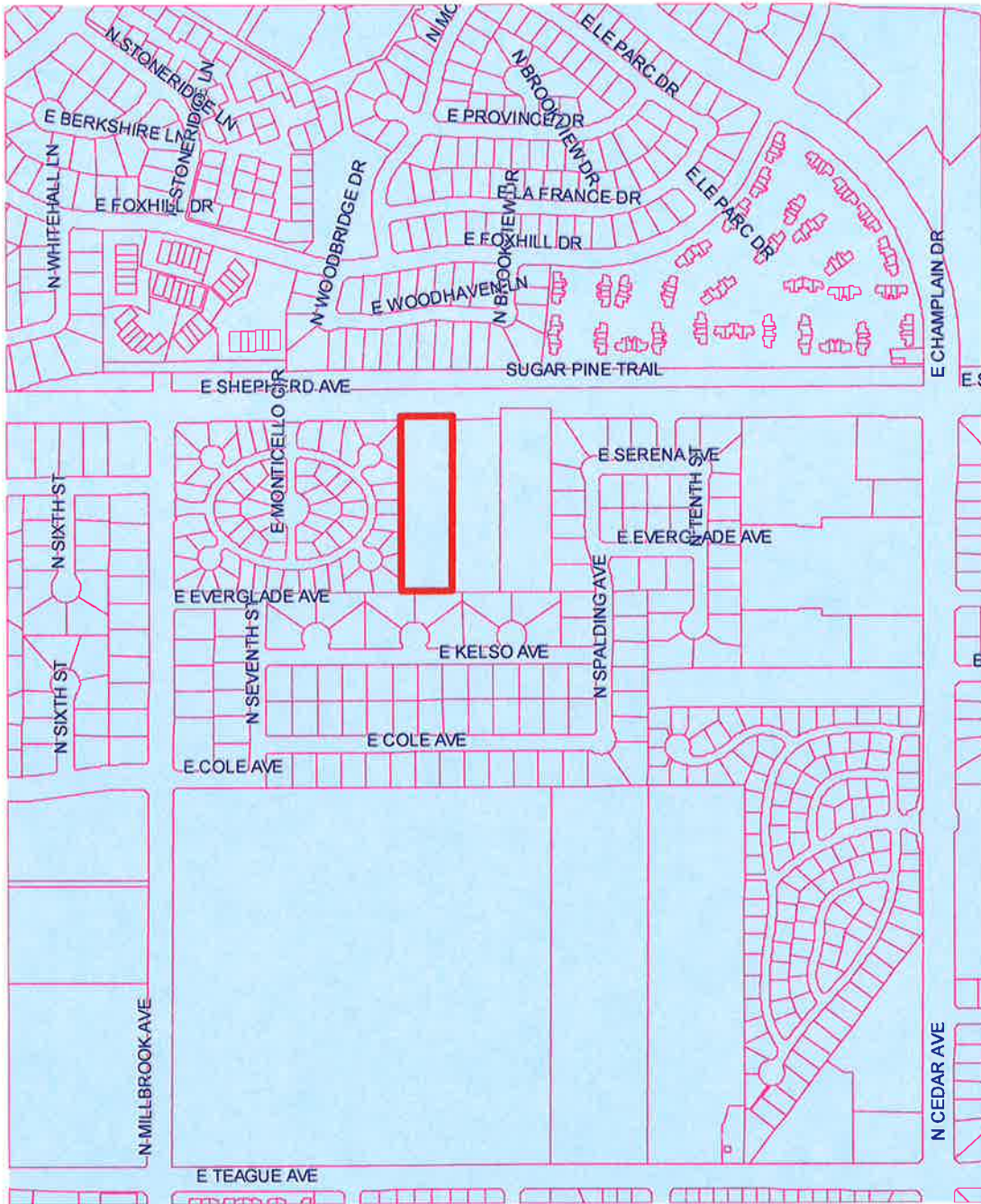
Attachments:

- Exhibit A: Vicinity Map
- Exhibit B: 2015 Aerial Photograph
- Exhibit C: Public Hearing Notice Mailing List Vicinity Map
- Exhibit D: Proposed Planned Land Use Map pursuant to Plan Amendment Application No. A-16-005
- Exhibit E: Proposed Rezone exhibit pursuant to Rezone Application No. R-16-006
- Exhibit F: Exhibits for Development Permit Application No. D-16-031
- Exhibit G: Draft Conditions of Approval for Development Permit Application No. D-16-031 dated July 6, 2016; including memoranda from responsible or commenting agencies.
- Exhibit H: Environmental Assessment No. A-16-005/R-16-006/D-16-031, finding of a Mitigated Negative Declaration dated June 3, 2016.

Exhibit "A"
Vicinity Map

Exhibit 'A'

VICINITY MAP



Project Site 

Address: 1161 East Shepherd Avenue

APN: 507-030-12ST

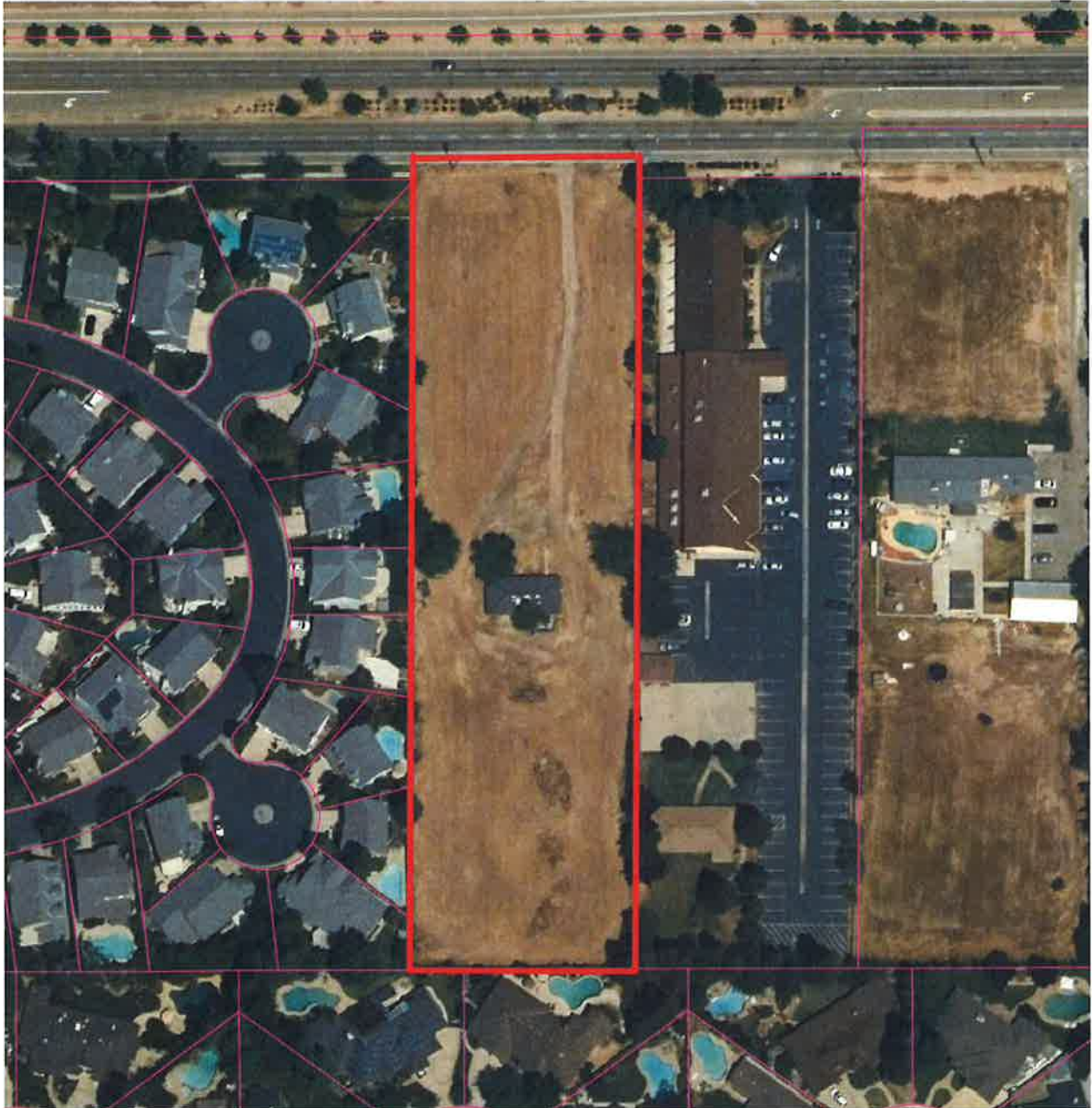


Not To Scale

Exhibit "B"
2015 Aerial Photograph

Exhibit B

2015 AERIAL PHOTO



Project Site 

Address: 1161 East Shepherd Avenue

APN: 507-030-12ST



Exhibit "C"
Public Hearing Notice Mailing List Vicinity Map

999287 AddrList

Buffered at: 1000 Feet, Legal Notices, Owners
40302103

PERRIN AVE

SHEPHERD AVE

TEAGUE AVE

MILLBROOK AVE

MAPLE AVE

COLE AVE

Address List Map, c:\gisdm5\automap\adrlst.mxd, Thu Apr 07 13:29:07 2016

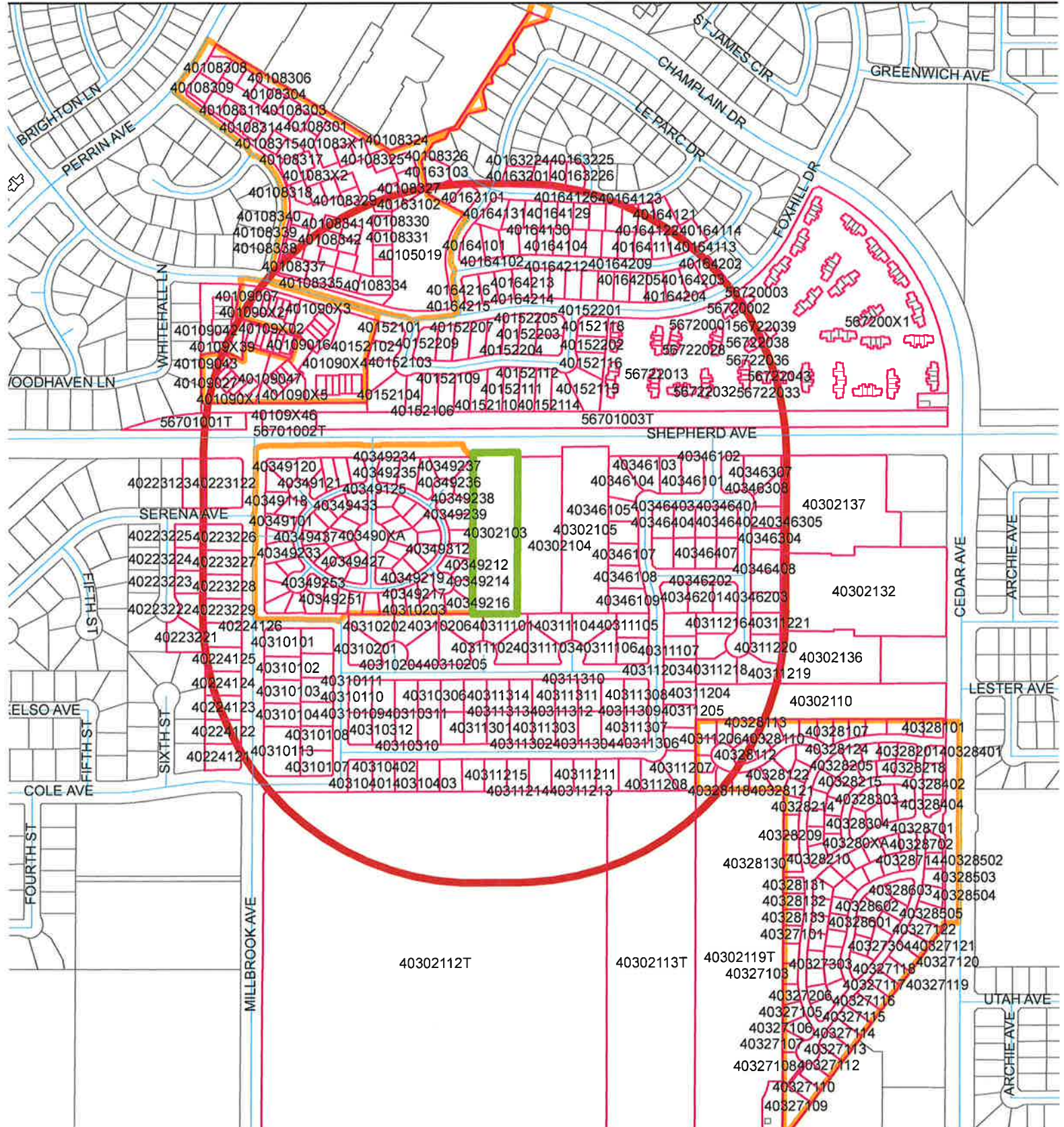
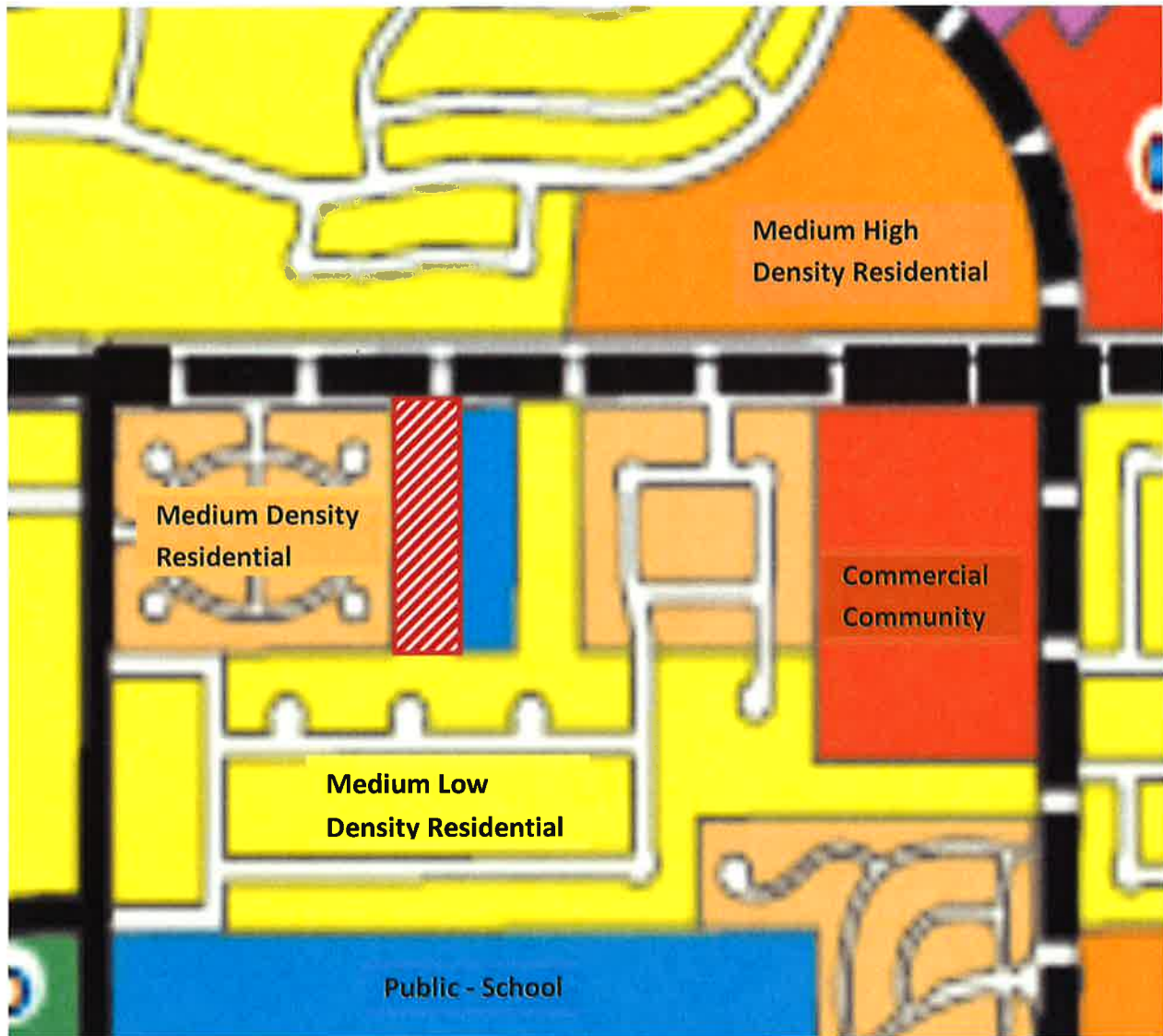


Exhibit "D"
Proposed Planned Land Use Map
Plan Amendment Application No. A-16-005

Exhibit 'D'

Plan Amendment Application No. A-16-005



Project Site  **+2.27 ac.**

From:

Medium Low Density Residential

To:

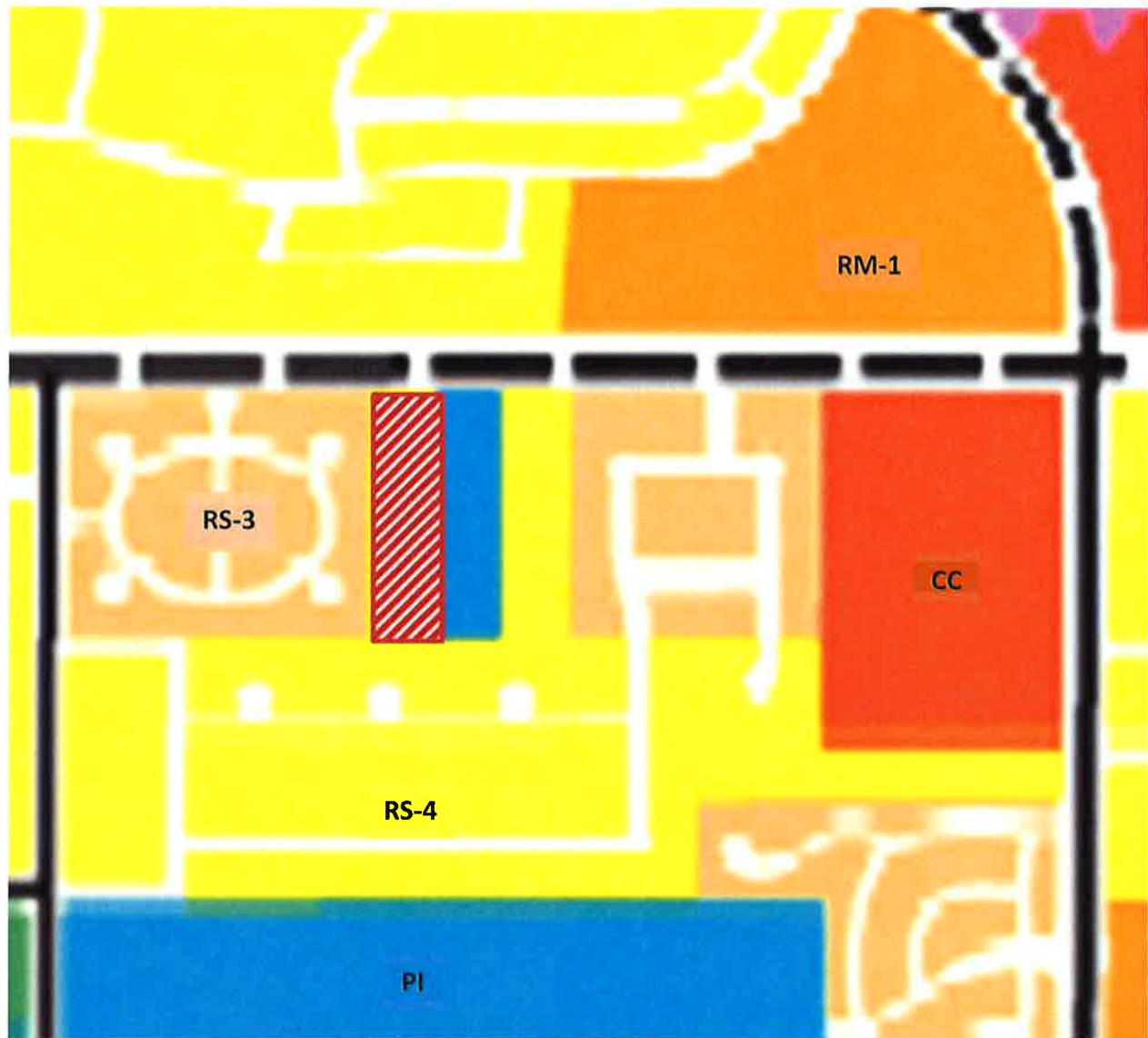
Medium High Density Residential



Exhibit "E"
Proposed Rezone Exhibit
Rezone Application No. R-16-006

Exhibit 'E'

Rezone Application No. R-16-006



Project Site  **±2.27 ac.**

From:

RS-4/UGM

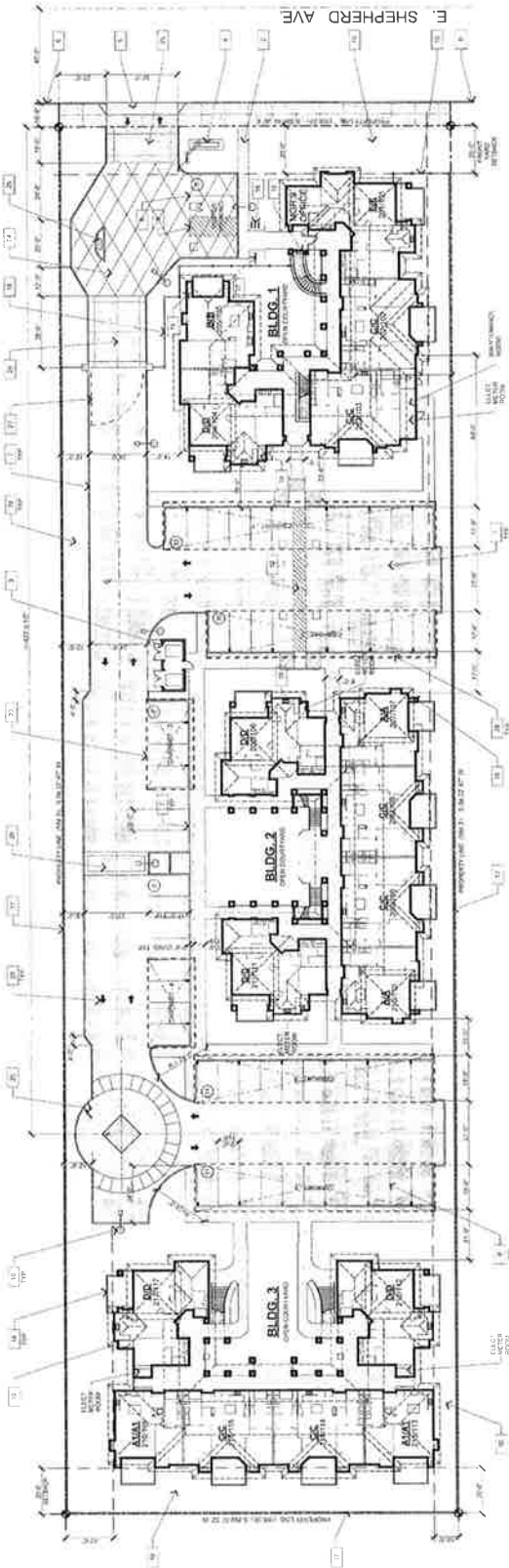
To:

RM-1/UGM



Not To Scale

Exhibit "F"
Exhibits for Development Permit Application No. D-16-031



SITE PLAN
SCALE 1" = 20'-0"

'DREW COURT'

A LUXURY APARTMENT ENCLAVE

DEVELOPED BY: DREW COURT, LLC.

PROJECT DEVELOPMENT INFORMATION

APPLICANT INFORMATION	PROJECT INFORMATION	PERMITTING INFORMATION
PROJECT NAME: DREW COURT PROJECT ADDRESS: 1815 E. SHEPHERD AVE., SALT LAKE CITY, UT 84143 OWNER: DREW COURT, LLC DESIGNER: R.L. DAVIDSON, INC. DATE: 03/15/2016	PROJECT TYPE: APARTMENT BUILDING PROJECT AREA: 1.00 AC. PROJECT ZONE: M-1 PROJECT SETBACKS: 10' FRONT, 10' SIDE, 10' REAR PROJECT HEIGHT: 40' MAX PROJECT DENSITY: 100 UNITS/AC. PROJECT COVERAGE: 75% PROJECT LOT AREA: 1.00 AC. PROJECT TOTAL AREA: 1.00 AC. PROJECT TOTAL COVERAGE: 0.75 AC. PROJECT TOTAL LOT AREA: 1.00 AC. PROJECT TOTAL COVERAGE: 0.75 AC. PROJECT TOTAL LOT AREA: 1.00 AC. PROJECT TOTAL COVERAGE: 0.75 AC.	PERMIT TYPE: BUILDING PERMIT PERMIT NUMBER: 15-00000000000000000000 PERMIT DATE: 03/15/2016 PERMIT EXPIRY: 03/15/2017 PERMIT FEE: \$10,000.00 PERMIT STATUS: IN PROGRESS PERMIT COMMENTS: SEE PERMITTING OFFICE FOR DETAILS.

KEYNOTES:

1. SEE CITY ENGINEER'S DRAWING FOR DETAILS OF THE PROJECT.
2. SEE CITY ENGINEER'S DRAWING FOR DETAILS OF THE PROJECT.
3. SEE CITY ENGINEER'S DRAWING FOR DETAILS OF THE PROJECT.
4. SEE CITY ENGINEER'S DRAWING FOR DETAILS OF THE PROJECT.
5. SEE CITY ENGINEER'S DRAWING FOR DETAILS OF THE PROJECT.
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9. SEE CITY ENGINEER'S DRAWING FOR DETAILS OF THE PROJECT.
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11. SEE CITY ENGINEER'S DRAWING FOR DETAILS OF THE PROJECT.
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13. SEE CITY ENGINEER'S DRAWING FOR DETAILS OF THE PROJECT.
14. SEE CITY ENGINEER'S DRAWING FOR DETAILS OF THE PROJECT.
15. SEE CITY ENGINEER'S DRAWING FOR DETAILS OF THE PROJECT.
16. SEE CITY ENGINEER'S DRAWING FOR DETAILS OF THE PROJECT.
17. SEE CITY ENGINEER'S DRAWING FOR DETAILS OF THE PROJECT.



VICINITY MAP:
SCALE 1" = 20'-0"

KEY	DESCRIPTION
1	PROJECT SITE
2	PROJECT SITE
3	PROJECT SITE
4	PROJECT SITE
5	PROJECT SITE
6	PROJECT SITE
7	PROJECT SITE
8	PROJECT SITE
9	PROJECT SITE
10	PROJECT SITE
11	PROJECT SITE
12	PROJECT SITE
13	PROJECT SITE
14	PROJECT SITE
15	PROJECT SITE
16	PROJECT SITE
17	PROJECT SITE

PARKING DEVELOPMENT DATA

TYPE	AREA	NO. OF SPACES
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
6	6	6
7	7	7
8	8	8
9	9	9
10	10	10
11	11	11
12	12	12
13	13	13
14	14	14
15	15	15
16	16	16
17	17	17

OPEN SPACE REQUIREMENTS

TYPE	AREA	NO. OF SPACES
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
6	6	6
7	7	7
8	8	8
9	9	9
10	10	10
11	11	11
12	12	12
13	13	13
14	14	14
15	15	15
16	16	16
17	17	17

MOBILE DEVELOPMENT DATA

TYPE	AREA	NO. OF SPACES
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
6	6	6
7	7	7
8	8	8
9	9	9
10	10	10
11	11	11
12	12	12
13	13	13
14	14	14
15	15	15
16	16	16
17	17	17

MOBILE DEVELOPMENT DATA

TYPE	AREA	NO. OF SPACES
1	1	1
2	2	2
3	3	3
4	4	4
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7	7	7
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9	9	9
10	10	10
11	11	11
12	12	12
13	13	13
14	14	14
15	15	15
16	16	16
17	17	17

MOBILE DEVELOPMENT DATA

TYPE	AREA	NO. OF SPACES
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
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10	10	10
11	11	11
12	12	12
13	13	13
14	14	14
15	15	15
16	16	16
17	17	17

MOBILE DEVELOPMENT DATA

TYPE	AREA	NO. OF SPACES
1	1	1
2	2	2
3	3	3
4	4	4
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Journal of Management Education 35(10) 1039-1057

- [illegible]

[illegible]

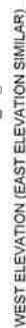
1. ALL EXTERIOR WALL COLORS & MATERIALS SHALL TERMINATE AT INSIDE CORNERS
2. PAINT ALL EXPOSED SHEET METAL, INCLUDING ITS MATCHING FLANGES
3. PAINT ALL EXPOSED FASTENERS TO MATCH ADJACENT CONNECTED MATERIAL (IE. WROUGHT IRON RAILING, ETC.)

[illegible]

1	PACED W/STAINLESS STEEL	21	W/STAINLESS STEEL	41	W/STAINLESS STEEL
2	ACQ/CLAD	22	W/STAINLESS STEEL	42	W/STAINLESS STEEL
3	ACQ/CLAD	23	W/STAINLESS STEEL	43	W/STAINLESS STEEL
4	ACQ/CLAD	24	W/STAINLESS STEEL	44	W/STAINLESS STEEL
5	ACQ/CLAD	25	W/STAINLESS STEEL	45	W/STAINLESS STEEL
6	ACQ/CLAD	26	W/STAINLESS STEEL	46	W/STAINLESS STEEL
7	ACQ/CLAD	27	W/STAINLESS STEEL	47	W/STAINLESS STEEL
8	ACQ/CLAD	28	W/STAINLESS STEEL	48	W/STAINLESS STEEL
9	ACQ/CLAD	29	W/STAINLESS STEEL	49	W/STAINLESS STEEL
10	ACQ/CLAD	30	W/STAINLESS STEEL	50	W/STAINLESS STEEL
11	ACQ/CLAD	31	W/STAINLESS STEEL	51	W/STAINLESS STEEL
12	ACQ/CLAD	32	W/STAINLESS STEEL	52	W/STAINLESS STEEL
13	ACQ/CLAD	33	W/STAINLESS STEEL	53	W/STAINLESS STEEL
14	ACQ/CLAD	34	W/STAINLESS STEEL	54	W/STAINLESS STEEL
15	ACQ/CLAD	35	W/STAINLESS STEEL	55	W/STAINLESS STEEL
16	ACQ/CLAD	36	W/STAINLESS STEEL	56	W/STAINLESS STEEL
17	ACQ/CLAD	37	W/STAINLESS STEEL	57	W/STAINLESS STEEL
18	ACQ/CLAD	38	W/STAINLESS STEEL	58	W/STAINLESS STEEL
19	ACQ/CLAD	39	W/STAINLESS STEEL	59	W/STAINLESS STEEL
20	ACQ/CLAD	40	W/STAINLESS STEEL	60	W/STAINLESS STEEL
21	ACQ/CLAD	41	W/STAINLESS STEEL	61	W/STAINLESS STEEL
22	ACQ/CLAD	42	W/STAINLESS STEEL	62	W/STAINLESS STEEL
23	ACQ/CLAD	43	W/STAINLESS STEEL	63	W/STAINLESS STEEL
24	ACQ/CLAD	44	W/STAINLESS STEEL	64	W/STAINLESS STEEL
25	ACQ/CLAD	45	W/STAINLESS STEEL	65	W/STAINLESS STEEL
26	ACQ/CLAD	46	W/STAINLESS STEEL	66	W/STAINLESS STEEL
27	ACQ/CLAD	47	W/STAINLESS STEEL	67	W/STAINLESS STEEL
28	ACQ/CLAD	48	W/STAINLESS STEEL	68	W/STAINLESS STEEL
29	ACQ/CLAD	49	W/STAINLESS STEEL	69	W/STAINLESS STEEL
30	ACQ/CLAD	50	W/STAINLESS STEEL	70	W/STAINLESS STEEL
31	ACQ/CLAD	51	W/STAINLESS STEEL	71	W/STAINLESS STEEL
32	ACQ/CLAD	52	W/STAINLESS STEEL	72	W/STAINLESS STEEL
33	ACQ/CLAD	53	W/STAINLESS STEEL	73	W/STAINLESS STEEL
34	ACQ/CLAD	54	W/STAINLESS STEEL	74	W/STAINLESS STEEL
35	ACQ/CLAD	55	W/STAINLESS STEEL	75	W/STAINLESS STEEL
36	ACQ/CLAD	56	W/STAINLESS STEEL	76	W/STAINLESS STEEL
37	ACQ/CLAD	57	W/STAINLESS STEEL	77	W/STAINLESS STEEL
38	ACQ/CLAD	58	W/STAINLESS STEEL	78	W/STAINLESS STEEL
39	ACQ/CLAD	59	W/STAINLESS STEEL	79	W/STAINLESS STEEL
40	ACQ/CLAD	60	W/STAINLESS STEEL	80	W/STAINLESS STEEL
41	ACQ/CLAD	61	W/STAINLESS STEEL	81	W/STAINLESS STEEL
42	ACQ/CLAD	62	W/STAINLESS STEEL	82	W/STAINLESS STEEL
43	ACQ/CLAD	63	W/STAINLESS STEEL	83	W/STAINLESS STEEL
44	ACQ/CLAD	64	W/STAINLESS STEEL	84	W/STAINLESS STEEL
45	ACQ/CLAD	65	W/STAINLESS STEEL	85	W/STAINLESS STEEL
46	ACQ/CLAD	66	W/STAINLESS STEEL	86	W/STAINLESS STEEL
47	ACQ/CLAD	67	W/STAINLESS STEEL	87	W/STAINLESS STEEL
48	ACQ/CLAD	68	W/STAINLESS STEEL	88	W/STAINLESS STEEL
49	ACQ/CLAD	69	W/STAINLESS STEEL	89	W/STAINLESS STEEL
50	ACQ/CLAD	70	W/STAINLESS STEEL	90	W/STAINLESS STEEL
51	ACQ/CLAD	71	W/STAINLESS STEEL	91	W/STAINLESS STEEL
52	ACQ/CLAD	72	W/STAINLESS STEEL	92	W/STAINLESS STEEL
53	ACQ/CLAD	73	W/STAINLESS STEEL	93	W/STAINLESS STEEL
54	ACQ/CLAD	74	W/STAINLESS STEEL	94	W/STAINLESS STEEL
55	ACQ/CLAD	75	W/STAINLESS STEEL	95	W/STAINLESS STEEL
56	ACQ/CLAD	76	W/STAINLESS STEEL	96	W/STAINLESS STEEL
57	ACQ/CLAD	77	W/STAINLESS STEEL	97	W/STAINLESS STEEL
58	ACQ/CLAD	78	W/STAINLESS STEEL	98	W/STAINLESS STEEL
59	ACQ/CLAD	79	W/STAINLESS STEEL	99	W/STAINLESS STEEL
60	ACQ/CLAD	80	W/STAINLESS STEEL	100	W/STAINLESS STEEL

[illegible]

P-324



SCHEDULE

[illegible]

ALL EXTENSION WALL, COLUONS & MATERIALS SHALL TERMINATE AT INSIDE CORNERS



THE FOLLOWING INFORMATION CONCERN THE INVESTMENT INDICATED ON

- © 2011 John Wiley & Sons, Ltd.
J. Polym. Sci. Part A: Polym. Chem. 49: 1151–1161 (2011)
DOI: 10.1002/pola.23401



'Drew Court'
LUXURY APARTMENT
ENCLAVE

-BUILDING THREE- EXTERIOR ELEVATIONS

-BUILDING THREE- EXTERIOR ELEVATIONS

PROJECT NO	DATE



SCHEDULE

- GENERAL EXTERIOR FINISH NOTES

ANSWER: CONTAINS



SCHEMATIC
LANDSCAPE
PLAN

L1.0

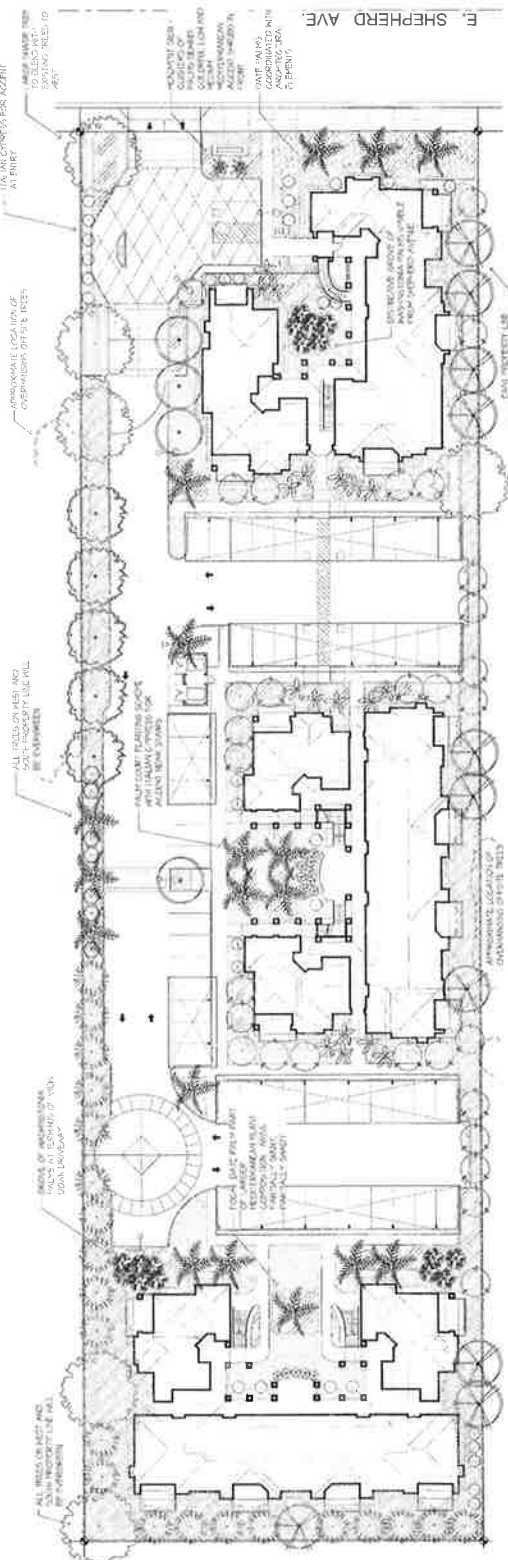


Sierra Designs, Inc

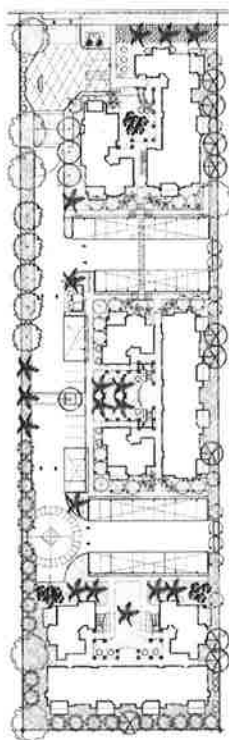


**SCHEMATIC
LANDSCAPE
PLAN**
SCALE: 1" = 20'-0"

SCALE: 1" = 20'-0"

[illegible]

C. PLANNING CALCULATIONS



3. LANDSCAPE TYPES / HYDROZONES

REFERENCES

2011 TWO - CORNUS NIGRA FRUIT BERRY AND SO RAB
LARGE TREE 100 TREE 200

[D. B. and J. T.]

24" BOX
JUL 11 AM '73 JONAH AIR MAIL 13.5% INCREASE FOR WEIGHT IN BOX = 17 OZ.

WOMEN EMERGENCY AND SELF-DEFENSE TRAINING
SHE IS US. GUN. DYN. Q. AN. TR. 15. PEAR. 400. ANGR. HAN. 15. 5 GAL. 4. 24. LONK.

© 2004 Blackwell Publishing Ltd, *Journal of Internal Medicine* 255: 103–110

Figure 1

Abstract The effect of small ($\leq 10\text{ cm}$) and large ($> 10\text{ cm}$) clams (*Gemma gemma*, *Saxidomus nutalli*) on the growth of *Ulva lactuca* was studied in laboratory experiments. Small clams had no significant effect on algal growth rate, while large clams reduced growth rate by 67%. In field studies, small clams had no effect on algal growth rate, while large clams reduced growth rate by 89%.

ENVIRONMENTAL CENTER
 1000 14TH STREET, N.W., SUITE 1000, WASHINGTON, D.C. 20005
 TEL: 202/331-0700 FAX: 202/331-0701

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DI ANTI KEY

A. PLANT (KE)

C. PLANNING CALCULATIONS

Exhibit "G"

**Draft Conditions of Approval for Development Permit
Application No. D-16-031 dated July 6, 2016; including
memoranda from responsible or commenting agencies**



Development and Resource Management Department

2600 Fresno Street, Third Floor
Fresno, California 93721-3604
(559) 621-8277 FAX (559) 498-1026

Jennifer K. Clark, Director

July 6, 2016

Please reply to:
McKencie Contreras
(559) 621-8066

Nick Yovino, Jr.
California Land Consulting
nickjr@califonialc.com
Sent via email only

**SUBJECT: DEVELOPMENT PERMIT APPLICATION NO. D-16-031 FOR PROPERTY
LOCATED AT 1161 EAST SHEPHERD AVENUE (APN: 403-021-03)**

Dear Mr. Yovino:

Development Permit Application No. D-16-031, which proposes a 34-unit, gated multiple family residential development with amenities such as enhanced architectural features, open courtyards, extensive landscaping in buffer zones adjacent to single-family residences, carports, and a block wall along shared property lines with adjacent properties on approximately ± 2.27 acres of property on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues.

A Mitigated Negative Declaration has been prepared for Environmental Assessment No. A-16-005/R-16-006/D-16-031 dated June 3, 2016 for purposes of the proposed project by the Development and Resource Management Department. No additional environmental analysis is required beyond what was analyzed by Environmental Assessment No. A-16-005/R-16-006/D-16-031. The approval of this project is subject to compliance with the following Conditions of Approval:

CONDITIONS OF APPROVAL

PART A – ITEMS TO BE COMPLETED

The following items are required prior to issuance of building permits or occupancy:

Planner to check when completed	
<input type="checkbox"/>	1. Transfer all red line notes, etc., shown on Exhibits A, A-1, B-1, B-2, E-1, E-2, E-3, E-4, E-5, R-1, R-2, R-3, F-1, F-2, F-3, F-4, F-5, F-6, F-7, F-8, and L dated March 28, 2016, to corrected exhibits. Submit the corrected exhibits for further review and approval. Please also review other agency/department comments and revise site plan accordingly. Transfer all comments and conditions on exhibits to the corrected exhibit(s) and submit to planner at least 15 days prior to issuance of building permits.

<input type="checkbox"/>	<p>2. Submit three copies of detailed, final landscaping and irrigation plans prepared by a landscape professional, showing the number and types of trees (differentiate between species), to the Development Services Division. The type of landscaping is to be determined by the applicant and to conform to minimum city standards. These plans must be reviewed and approved prior to issuance of building permits. Hilary Kimber must approve the revised landscape plan prior to issuance of building permits. Contact Hilary Kimber at 559-621-1345 for questions.</p>
<input type="checkbox"/>	<p>3. Landscaping must be in place prior to issuance of the certificate of occupancy. A Hold on Occupancy shall be placed on the proposed development until such time that landscaping has been approved and verified for proper installation by the Development Services Division.</p> <p>Prior to final inspection, a written certification, signed by a landscape professional approved by the Director, shall be submitted stating that the required landscaping and irrigation system was installed in accordance with the landscaping and irrigation plans approved by the Development Services Division, Development and Resource Management Department (see form, attached).</p>
<input type="checkbox"/>	<p>4. Prior to issuance of building permits, submit Community Facilities District (CFD) Annexation Request and/or provide a Private Maintenance Covenant as approved by the City to the Public Works Department, Traffic and Engineering Division. Contact Ann Lillie at (559) 621-8690 or by email at ann.lillie@fresno.gov for information and assistance.</p>
<input type="checkbox"/>	<p>5. Deeds of easements for the required dedications must conform to the format specified by the City and shall be prepared by the Applicant's Engineer per Public Works Department comments dated April 15, 2016. Deeds require a two-month processing time and shall be completed (deeds recorded) prior to issuance of building permits.</p>
<input type="checkbox"/>	<p>6. Street Construction and Lighting Plans are required and shall be approved by the City Engineer. All improvements shall be constructed in accordance with City of Fresno Public Works Department Standards and Specifications. All work shall be reviewed, approved, completed and accepted prior to obtaining a Certificate of Occupancy.</p>
<input type="checkbox"/>	<p>7. The Traffic Signal Mitigation Impact (TSMI) Fee, Regional Transportation Mitigation Fee (RTMF) and Fresno Major Street Impact (FMSI) Fee shall be paid as applicable per Public Works, Traffic and Engineering memorandum dated April 15, 2016. Provide proof of payment or exemption prior to issuance of building permits.</p>
<input type="checkbox"/>	<p>8. Sewer facilities are available to serve the proposed project subject to: Installing a sewer house branch(s); on-site sewer facilities being private; abandoning any existing on-site septic systems; and the project developer</p>

		contacting Wastewater Management Division/Environmental Services at (559) 621-5100 regarding conditions of service for special users prior to issuance of building permits.
<input type="checkbox"/>	9.	Water facilities are available to serve the proposed project subject to: Installing water service(s) and meter box(es); on-site sewer facilities remaining private; destructing any existing on-site well; and the project developer providing a detailed water usage analysis per comments dated April 25, 2016, subject to approval by the Director of Public Utilities Services at (559) 621-5100 regarding conditions of service for special users prior to issuance of building permits.
<input type="checkbox"/>	10.	Fire hydrants shall be installed and fire access lanes constructed and maintained pursuant to comments from Fresno Fire Department dated April 25, and May 12, 2016. Show all Fire Department requirements (i.e. hydrant locations, water mains, fire flow notations, fire lane widths and lane/curb painting) on site plan prior to final site plan sign-off by Planning.
<input type="checkbox"/>	11.	Pay the required fees as stated in the memoranda from the Fresno Metropolitan Flood Control District dated April 22, 2016 prior to issuance of building permits. Provide proof of payment to the project Planner.
<input type="checkbox"/>	12.	Pay applicable development fees to the Clovis Unified School District prior to issuance of building permits.

PART B – OTHER REQUIREMENTS

1) Planning/Zoning/Environmental Compliance Requirements

- a) Development shall take place in accordance with the attached updated “Planning Comments” from the Development Services Division, dated June 30, 2016, document (attached) as applicable.
- b) Development shall take place in accordance with the attached “Notes and Requirements for Entitlement Applications” as applicable.
- c) Development shall take place in accordance with the policies of the Fresno General Plan and Woodward Park Community Plan.
- d) Development shall take place in accordance with the RM-1/UGM (*Residential Multi-Family, Medium High Density/Urban Growth Management*) zone district.
- e) Comply with the operational statement for the proposed project dated March 28, 2016.
- f) Comply with the mitigation measures of Environmental Assessment No. A-16-005/R-16-006/D-16-031 dated June 3, 2016 (attached).

2) City and Other Services

- a) Development shall take place in accordance with the attached memoranda and letters from City of Fresno Departments and partner agencies:
 - a) Development and Resource Management Department, Building and Safety Services Division dated April 5, 2016;
 - b) Department of Public Works, Traffic and Engineering Services Division revised memorandum dated April 15, 2016;
 - c) Department of Public Works, Traffic Engineering Manager dated April 15, and May 10, 2016 regarding traffic impacts;
 - d) Department of Public Works, Traffic Engineering Division, CFD dated April 6, 2016.
 - e) Department of Public Works, Median Island Maintenance dated April 5, 2016;
 - f) Department of Public Utilities, Planning and Engineering Division Sewer Division dated April 20, 2016;
 - g) Department of Public Utilities, Water Division dated April 1, 2016;
 - h) Department of Public Utilities, Solid Waste Management Division dated April 18, 2016;
 - i) Fresno Fire Department dated April 25, May 12, and June 9, 2016;
 - j) County of Fresno Department of Public Health dated April 5, 2016;
 - k) Fresno Metropolitan Flood Control District dated April 22, 2016 and Rezone No. R-16-006 mitigation requirements dated April 22, 2016;
 - l) Fresno Irrigation District dated April 12, 2016; and
 - m) San Joaquin Valley Air Pollution Control District dated April 8, 2016.

3) Miscellaneous Requirements

- a) Plans and permits are required.
- b) Approval of this special permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:
 - i) All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property;
 - ii) All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,
 - iii) Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.
- c) Approval of this special permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements

imposed on this special permit, the Zoning Ordinance, and all Public Works Standards and Specifications. The Development and Resource Management Department shall not assume responsibility for any deletions or omissions resulting from the special permit review process or for additions or alterations to construction plans not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.

APPEALS

Please be advised that this project may be subject to a variety of discretionary conditions of approval. These conditions are based on adopted City plans and policies, those determined through development permit review and environmental assessment essential to mitigate adverse effects on the health, safety, and welfare of the community, and recommended conditions for development that would on the whole enhance the project and its relationship to the neighborhood and environment.

Discretionary conditions of approval may be appealed. All code requirements, however, are mandatory and may only be modified by variance. Discretionary conditions of approval will ultimately be deemed mandatory unless appealed verbally or in writing to the Fresno City Council at scheduled public hearings. Action by the Fresno City Council with respect to Development Permit Application No. D-16-031 is final.

BACKCHECK PROCESS

Please Note: To complete the back-check process for building permits relative to planning and zoning issues, submit four copies of this corrected, final site plan, together with three copies of the elevations, landscape, and irrigation plans, to McKencie Contreras in the Development Services Division for final review and approval, **at least 15 days before applying for building permits.**

It may be necessary to resubmit these "corrected exhibits" a second time if not all the conditions have been complied with or are not shown on the exhibits. Once the "corrected exhibits" are approved by the Development Services Division, please place these exhibits in the plan check set and contact the Development Services Division, along with Traffic Planning, to set up an appointment to signoff and stamp these exhibits. Please bring one additional copy of the site plan exhibit(s) to this appointment so that the Development Services Division has a final signed-off copy of the site plan.

Copies of the final approved site plan, elevations, and landscape plan stamped by the Development Services Division must be submitted for unstamped copies of the same in each of the sets of construction plans submitted for plan check prior to the issuance of building permits.

The exercise of rights granted by this special permit must be commenced by three years from the date of City Council approval. A permit granted under this Code shall automatically expire if it is not exercised or extended within three years of its issuance pursuant to Section 15-5013 of the Fresno Municipal Code. All improvements must be installed prior to the operation of the proposed use. A time extension not exceeding one year beyond the initial three-year period may be requested by applying to the Director at least 30 days prior to the expiration

date of the permit. In no case shall the expiration period extend more than four years from the date of final approval. In order to grant an extension, the Director shall make findings pursuant to Section 15-5013-A-1, of the Fresno Municipal Code. All improvements must be installed prior to the operation of the proposed use.

If you have any questions regarding this letter, feel free to give McKencie Contreras a call at the number listed above.

Sincerely,

Lauren Filice, Planner III
Development Services Division

Enclosures: Exhibits A, A-1, B-1, B-2, E-1, E-2, E-3, E-4, E-5, R-1, R-2, R-3, F-1, F-2, F-3, F-4, F-5, F-6, F-7, F-8, and L dated March 28, 2016,
Review Agency Comments on A-16-005, R-16-006 and D-16-031
Notes and Requirements
Landscape Certification Form

CC: Marcil Awad (awadm33@gmail.com)



2600 Fresno Street-Third Floor
Fresno, California 93721-3604
(559) 621-8277 FAX (559) 488-1020

Development and Resource Management Department
Jennifer K. Clark, Director

Updated Project Comments from the Development Services Division
June 30, 2016

PROJECT DESCRIPTION

Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006 and Development Permit Application No. D-16-031 were filed by Nick Yovino Jr., of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, and pertain to a 2.27-acre property located on the south side of East Shepherd Avenue, between North Millbrook and North Cedar Avenues. **Plan Amendment Application No. A-16-005** proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the Medium Low Density Residential planned land use designation to the Medium High Density Residential land use designation. **Rezone Application No. R-16-006** proposes to amend the Official Zone Map to reclassify the subject property from RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) to the RM-1/UGM (*Residential Multi-Family Medium High Density/urban Growth Management*) zone district. **Development Permit Application No. D-16-031** proposes a gated, 34-unit, multiple family residential development with ten (10) one-bedroom units, twenty two (22) two-bedroom units and two (2) three-bedroom units ranging from 897 to 1489 square feet. Proposed parking is sixty-two (62) parking stalls or 1.8 per unit, of which fifty-two (52) are covered. Open space is at 38%, substantially higher than the minimum required. Front and rear yard setbacks are at 20-feet, with side yards at 10-feet and landscaped. Building setbacks are a minimum of 20-feet on the west property line adjacent to the rear yards of existing single-family homes. A wrought iron fence is proposed along the Shepherd Avenue frontage and 6-foot high masonry walls along other property lines.

APN: 403-021-03

ADDRESS: 1161 East Shepherd Avenue

GENERAL INFORMATION – General Plan land use designation is *Medium Low Density Residential*.

ZONING

Existing	RS-4 , Residential Single-family, Medium-Low Density per proposed new "Development Code" zoning which corresponds to <i>Residential Single-family, Medium-Low Density</i> planned land use.
Proposed	RM-1 , Residential Multi-Family, Medium Density – to allow 12-16 dwelling units per acre.

PLANS – available on-line at: www.fresno.gov/code.

Community Plan	Woodward Park
Specific Plan	n/a
Redevelopment	UGM, Urban Growth Management

PREVIOUS ACTIONS

Applications	Case 06-90006971 - Correction Notice for vacant building.
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Covenants/ Easements	None found.
Development Agreements	None found.
Comment:	<i>Provide a current Title Report - provided.</i> <i>As a condition of project approval - Disclose recorded information for all easements in Site Plan notes.</i>
TRACT MAP or LOT SPLIT	2.27 acres, East 502.73-feet of lot 57, Perrin Colony No. 2, Except East 337.73-feet.

PROPERTY DEVELOPMENT STANDARDS

Use the website below to access the Development Code (Chapter 15) to find more information on zoning/property development standard requirements: www.fresno.gov/code.

USE PERMITTED - The requirements for the RM-1 zone district can be accessed here	
Proposed Zoning – Pursuant to Fresno Municipal Code (FMC) Section 15-1002, Table 15-1002, for the proposed RM-1/UGM (<i>Residential Multi-family Residential District/Urban Growth Management</i>) zone district, multi-unit residential uses are permitted by right. The following analysis of the RM-1/UGM zone district has been prepared for Application No's. A-16-005, R-16-006 and D-16-031:	
NOTE – for requirements below () indicates general requirements, * indicates special standards/requirements, while 'WCP' indicates Woodward Community Plan requirements.	
DENSITY AND MASSING STANDARDS , pursuant to FMC Section 15-1003, Table 15-1003, apply:	
LOT AREA – (§15-306) measured as lot width multiplied by lot depth - applicable to Single-family Residential uses only:	
Required	N/A – for Multi-family Residential see Population Density, below.
Proposed	2.27 acres
LOT DIMENSIONS – (§15-306) measured as A. lot width, B. lot depth - applicable to Single-family Residential uses only:	
Required	N/A
Proposed	165 feet wide, 602 feet deep
DENSITY – (§15-310) expressed as dwelling units per acre.	
Permitted	RM-1 allows a maximum of 16 dwelling units per acre
Proposed	<u>Calculated as:</u> 16 units x 2.27 acres = <u>36 dwelling units maximum</u> <i>The 34 units proposed are less than the dwelling unit maximum (14.97 du/acre).</i>

BUILDING HEIGHT - (§15-306) measured as average level of highest and lowest points where vertical plane of exterior walls touch natural grade level of the site to highest point on roof or top of parapet wall.

Woodward Park Community Plan Policy 1-3.8: Outdoor recreational areas, game courts, swimming pools, and solid waste collection areas on property zoned for multiple-family residential uses shall be oriented away from properties zoned or planned for single-family residential uses.

- a. Multiple-family buildings greater than one-story (20 feet) in height shall be prohibited within 75 feet of property zoned or planned for single-family residential.

NOTE - According to FMC §15-104-B.4., Priority of Plans - a. "In the event of conflict between the Code and any operative plan guidelines, this **Code shall control".**

Permitted	A maximum building height of 40 feet is allowed. Transition Standards apply where RM District abuts an RS Residential Single-family District (west side of project site). Setback buildings <u>30 feet within 40 feet, or 40 feet within 50 feet of an RS District.</u>
Proposed	2-story units, 20'6" tall for Building One.
Comment	<i>As a condition of project approval - Provide 4 copies of full-sized Elevation Sheets for Buildings No. 2 and 3.</i>

SITE DESIGN DEVELOPMENT STANDARDS – Pursuant to Section 15-1004

Required	§15-1004, Transition Standards apply to all structures in an RM District adjacent to RS District as follows: 1. <i>Height</i> – 30 feet within 40 feet, and 40 feet within 50 feet of adjacent RS district. 2. <i>Setbacks</i> – Front = 13 feet within 50-feet of an RS district; Interior Side = 10 feet; Rear = 20 feet from the RS district. 3. <i>Landscape</i> - 5 foot wide along all RS district boundaries – see table below. 4. <i>Screening</i> – required for multi-story buildings within 50 feet of side/rear yards of RS district properties and include alternating window/balcony placement, wing walls/louvers, glass block etc.
Proposed	2-story residential buildings at 20'6" height.

YARDS – (§15-313) Setbacks measured as: A. Front and B. Garage from back of sidewalk; C. Interior Side from property line, Street Side from back of sidewalk.

§15-1003 Setbacks for the RM-1 zone are shown in the following table:

Required Building Setback		Proposed Building Setback	
Front (Shepherd Ave.)	20'	Front	20 feet
Interior Side (east)	10' total, min. 4'/side	Interior Side	10+ feet
Interior Side (west)	10' total, min. 4'/side	Interior Side	50+ feet

Rear	20' min.	Rear	20 feet
Alley	3' min.	Alley	N/A
Parking	30' min. - <i>from back of sidewalk/curb</i> (N/A to parking behind building)	Parking	30 feet from curb

Landscape Setbacks - §15-1004-A.3 where an RM District abuts an RS District, a landscape setback is required on the RM zoned property pursuant to Table 12-2305-C.1 Required Landscape Buffers – Buffer Yard Type 1 requires: 2 large trees, 2 small-medium trees, 6 large shrubs and 8 small-medium shrubs per every 100 linear feet of buffer yard. See table above for area required.

Required Landscaping Setback		Proposed Landscaping Setback	
Front	Type 1, 13 feet	Front	20 feet
Interior Side (west)	Type 1, 10 feet (15', 6-foot masonry wall)	Interior Side	Variable - 9 to 12 feet
Interior Side (east)	Type 1, 10 feet (15', 6-foot masonry wall)	Interior Side	10+ feet
Rear	Type 1, 10 feet (15', 6-foot masonry wall)	Rear	20 feet

SPACE BETWEEN BUILDINGS

Main Buildings	15-704-B Side Setbacks for Attached Dwellings – side setbacks apply only to ends of buildings, and are not required between attached buildings.
Accessory Buildings	N/A
Garages	Measure as for dwelling unit where garages are attached to dwelling units.

LOT COVERAGE – measured pursuant to §15-311 and 317.

Required	Table, §15-1003 for RM-1 District: Frontage Coverage = minimum 50% of area between the minimum and maximum front setback area. Lot Coverage = maximum 50% of lot. On-site Open Space = minimum 20% of lot area.
Proposed	Lot coverage of 35.4%, as shown in site plan notes. <i>As a condition of project approval - Provide frontage coverage calculation and illustrate on Site Plan.</i>

FENCES, HEDGES, WALLS – §15-1606-D. for Multi-Single Family Homes, when on a lot in a block with parcels zoned for single-family uses, fencing shall comply with §15-1606-C, as follows:

Required	<p>1.a. <u>Front Yards</u> – Wrought iron/ tubular steel = 4 feet high, open a minimum of 80% to allow air passage. All other materials = 3 feet high maximum.</p> <p>1.b. <u>Other Yards</u> – All materials - up to 6 feet in height on property lines, not to exceed 6 feet in height.</p> <p>L. <u>Materials</u> – 1.b. Limit chain link fencing along <i>i.</i> major street, and <i>ii.</i> Along street-facing yards in developments containing 6 or more units.</p> <p>P.1. <u>Exceptions</u> – Walls used to mitigate noise may exceed the standard per §15-1607, Walls for noise attenuation, required by §15-2106.</p>
Proposed	<p>A 6-foot high wrought iron fence with vehicle and pedestrian gates is proposed, set back from 20-feet to 60 feet from the front property line, on the 20-foot front yard setback. Vehicle gate is 100-feet back from the property line.</p> <p>A 6-foot high masonry wall is proposed along the property line at the northeast corner, 20-feet back from the front property line. Masonry wall continues uninterrupted along the east, south (rear) and west property lines to terminate at the northwest corner. The wall shall drop to 3-feet in height within the front yard setback area.</p>
OFF-STREET PARKING – §15-2000-2016.	
Required	<p>Table §15-2008, Multi-Unit Residential dwellings require the following number of Vehicle Parking spaces per unit: Studio = 1 space; 1 or 2 bedroom = 1 space; 3 or more bedrooms = 1.5 spaces.</p> <p><i>One additional uncovered guest parking space must be provided for every 2 units.</i></p>
Required	<p>§15-2028, Bicycle Parking is required as follows: A.1.a. Short-term bicycle parking is required to serve guests and visitors to a site when there is new development B.1.a. Long-term bicycle parking is required to serve residents, 2. per Table 12-2028-D at a rate of 1 bicycle space per 15 units, not required if units provide individual garages.</p>
Parking Calc.:	<p>Tenant – 32, 1 & 2 bedroom x 1 = 32 parking spaces and 2, 3-bedroom x 1.5 = 3 parking spaces = 35 covered parking stalls required. Visitor - 34 units/2 units = 17 uncovered stalls required. 35/15 = 2.33 or 2 bicycle parking spaces required.</p>
Proposed	<p><u>Vehicle</u>: 3 - 9x20-foot open visitor parking stalls; 7 - 9x19-foot open/uncovered stalls; and 52 - 9x19-foot covered stalls/carports. <u>Bicycle</u>: 4 bicycle stalls shown.</p>
Comment	<p>Show typical dimensions of parking stalls on the Site Plan that conform to City Standards – provided.</p> <p><i>As a condition of project approval – Show 10 additional uncovered parking stalls on the Site Plan (may convert the additional covered stalls shown on site Plan).</i></p>
ON-SITE OPEN SPACE	

Required	<p>§15-1004-D, Minimum on-site open space of 20% is required for RM-1 zone district, based on lot size per Table 15-1003.</p> <p>§15-1004-D-1. A minimum of on-site open space may be met as follows:</p> <p>Private space: required for no less than 50% of units, with dimension of no less than 4-feet and area no less than 32 square feet. Table 15-1005-F - Ground floor 30' from street per Porches, above ground floor 30' from street per Balconies.</p> <p>Common space: dimension no less than 20-feet and area no less than 1,000 square feet. 40% as active space for sites over 1 acre, with not less than 80% open to sky.</p>
	<p>Public Plaza: dimension no less than 20-feet and area no less than 500 square feet. Full access from public right-of-way and locate in front of building, with public view unobstructed.</p>
Proposed	<p>All units have patios or balconies measuring from 9'x13' or 117 square feet (sf.) to 12'x16' or 192 sf., with most at 11'x15' or 165 sf.</p> <p>Common areas include 3 courtyards at 2,500, 2,500 and 2,275 square feet, while 38% of the project site is landscaped open space and outdoor walkways.</p>

STORAGE

Required	<p>§15-1004-E Each dwelling unit shall have at least 120 cubic feet of enclosed, weather-proofed, and lockable private storage space. A garage, dedicated to a specific dwelling unit, may be used to satisfy this requirement. Private storage spaces shall be constructed of similar building materials as the dwelling unit and shall not be located underneath carports. Storage shall be accessible and deemed usable by the Director.</p>
Proposed	None shown.
Comment	<i>As a condition of project approval – Show storage areas for each dwelling unit on Site and/or Floor Plans.</i>

ACCESS

Required	<p>Pedestrian Access - §15-1004-E, must be provided on-site according to:</p> <ol style="list-style-type: none"> 1. Flexibility Options – applicant to demonstrate that the project meets the following goal: a. Provide sufficient opportunities for residents to walk to nearby amenities, services and transit facilities. 2. Certainty Option - a. Common entrances to internal pedestrian paths shall be provided at the rate below, with entrances protected by a portico, canopy, or alcove no less than 4-feet deep. ii. No less than 1 per 600 feet of linear street frontage are required outside of priority areas.
	<p>b. Direct entrances to individual dwelling units adjacent to a public street shall be provided at a rate of 1 per 75 feet of linear street frontage.</p>
Proposed	<p>Separate pedestrian walkway connecting buildings, parking and common areas constructed of concrete with colored and salted finish.</p>

	Required	<p>Vehicular Access – Design of entrance driveways, external and internal traffic lanes is pursuant to Fire and Public Works Department Standards.</p> <p>§15-2017 Parking Lot Access, includes driveway design, location, throat length, size of parking spaces and maneuvering aisles, spaces abutting fences or walls, and size dimensions;- C. Residential driveway length for driveways providing direct access from a public street to a garage or carport shall be <u>at least 20 feet in depth</u>.</p> <p>A.2. When property has access to more than 1 street access is limited to the lowest volume street.</p> <p>3. Access to major streets to be spaced to provide reasonable access and maximize traffic safety and flow.</p> <p>4. Access safety and control to be determined by the City Engineer.</p> <p>D. Parking spaces shall not be located within 20 feet of an access driveway, <u>measured from the property line</u>.</p>
		<p>E. Driveway “throat length” shall be designed to prevent vehicles from backing into flow of traffic on public street, design subject to City Engineer.</p> <p>H. Size of parking spaces and maneuvering aisles shall meet the minimum dimensions established by the Public Works Director (Public Works Standards).</p> <p>I. Parking spaces abutting a wall or fence no higher than 0.5 feet shall be increased by 2 feet in depth on each obstructed side.</p> <p>J. Minimum inside dimensions for residential garages and carports: 1 Car = 10 feet wide by 20 feet long; 2-car = 20 feet wide by 20 feet long; 3+ cars = 9 feet wide by 19 feet long per space. Vertical clearance not less than 7 feet 6 inches.</p>
	Proposed	<p>Single 2-lane, 20’ deep x 30’ wide driveway located in northwest corner accessing E. Shepherd Ave.</p>
		<p>§15-2022 Circulation and Safety A. Landscaping in planters at end of parking aisles shall not impair sight line of drivers and pedestrian cross-traffic. Mature trees shall have a clearance of 8 feet from parking lot surface. Other plant material shall not exceed 30 inches in height.</p> <p>B. Parking lots shall be designed so that sanitation, emergency, and other public service vehicles can provide service without backing or making dangerous or hazardous turn movements, as determined by the Review Authority.</p> <p>C. Separate vehicular and pedestrian circulation systems shall be provided: 1. Multi-unit developments of 5 or more units must provide pedestrian access that is separate and distinct from driveways.</p>
	Proposed	<p>Unidentified medium water use shrub area at entry driveway with trees 70-feet from driveway.</p>
FAÇADE DESIGN DEVELOPMENT STANDARDS – §15-1005		
	Required	<p><u>A. Flexibility Option</u> – The applicant must demonstrate to the satisfaction of the Review Authority that the project meets the following goals:</p> <ol style="list-style-type: none"> 1. Present an attractive appearance to public streets. 2. Be aesthetically and functionally compatible to the nearby development context. 3. Demonstrate a high level of quality. 4. Support the growth in value of surrounding properties.

Required	<p>B. Certainty Option - Street-facing façades for buildings adjacent to a public street shall comply with the following standards. Other façades shall not be subject to these standards.</p> <ol style="list-style-type: none"> 1. Building Length Articulation - At least one projection or recess will be provided for every 50 horizontal feet of wall. 2. Building Materials and Finishes - Materials shall present a durable and attractive appearance through high-quality materials, finishes, and workmanship - at least two cladding materials (excluding roof and foundation); and at least three exterior colors. 3. Window Design – <ol style="list-style-type: none"> a. Glazing Ratio of street-facing facades shall have an overall wall composition of at least 20% glazing, but no more than 60% glazing. b. Vertical Proportion - at least 70% of all window openings shall have a vertical proportion, in which their height exceeds their width by 25% or more. Openings divided by muntins of 4-inches or more in width shall constitute separate openings. c. Window Depth - trim at least one inch in depth must be provided around all windows, or windows must be recessed at least 2-inches from the plane of surrounding exterior wall. For double-hung and horizontal sliding windows, at least one sash shall achieve a 2-inch recess. 4. Façade Alignment – <ol style="list-style-type: none"> a.i. Vertical Alignment – With the exception of mansard roofs, cornices, and other such features, facades shall be oriented vertically and shall have no slope. ii. Horizontal Alignment – With the exception of bay windows and similar features, facades that are located within 30 feet of a public street shall run parallel or perpendicular to said street. 5. External Stairs, Corridors, and Hallways. In the priority areas, external stairs, corridors, and hallways that are located within 30 feet of a public street must be architecturally integrated into the building design. 6. Balconies. If balconies are provided, they shall not be grouped together into a continuous band across the facade. No more than two balconies shall be contiguous. Each balcony or group of two contiguous balconies shall be distinct and shall have at least six feet of horizontal separation from any other balcony. F. Façade Elements – Development shall incorporate a minimum of one of the following Façade Elements into front and street side building facades: <ol style="list-style-type: none"> b. Not required outside of priority areas.
Proposed	<p>Façade details shown on plan sheets comply with the Certainty Option as follows: Street-facing facades include 4-foot projection every 20-feet or less, complimentary details and materials, wall finishes include stucco, rock and diagonal wood siding, with recessed windows above projecting sills and tile roof. Buildings run parallel to street. External entrances, corridors and stairways are set back at least 55-feet from street.</p>
OUTDOOR ADVERTISING – per §15-2201 – 2223.	
Permitted	<p>§15-2203 Exempt Signs – A. Address and name plates. Each residence may post 1 address sign and 1 name plate, with display faces per Article 52, Street Names & Addressing.</p> <p>Table, §15-2209 – none indicated, §15-2210 Signage Allowances for Specific Uses – Multiple-family residential not included.</p>

	Proposed	One monument sign shown at front driveway, with notes for sign to conform to building design on site plan.
LOADING SPACES – Not required for residential uses.		

LANDSCAPING - §15-2305 Area to be Landscaped

A. Parking Areas. Parking areas shall be landscaped in compliance with Article 24, Parking and Loading.

B. Required Setbacks.

1. All Districts. For permitted paved areas, refer to the underlying Base District.

3. Four or More Dwelling Units: All required setbacks, except for areas used for exit and entry, shall be landscaped.

C. Lot Perimeters. Landscape buffers shall be installed and maintained along side and rear lot lines between differing land uses, in accordance with the sections of this article and the following standards:

1. Required Landscape Buffers - for multi-family residential adjacent to single-family residential is Type 1, per Table 15-2305-C-1, which requires 2 large and 2 small-medium trees; and 6 large and 8 small-medium shrubs for each 100 linear feet of buffer yard.

D. Landscape Setback - All areas between site perimeter walls/fencing and lot lines facing a street shall be landscaped. Landscaping shall be installed and maintained in accordance with the sections of this article and the following standards:

1. Planting areas more than 10 feet in width shall be planted with medium and large trees and medium and large shrubs to span the entire length.

2. Planting areas 10 feet or less in width shall at the very least be planted with small trees and small to medium size shrubs to span the entire length.

3. Vines may be included for areas adjacent to concrete or masonry walls.

4. The landscape design shall provide total wall/fence screening from top to bottom for the entire length within five years.

5. Trees shall be planted so the canopies could touch for the entire length within fifteen years.

E. Building Perimeters - 1. All portions of a building that face a public street shall have one or more landscape planters installed along a minimum of 20 percent of that building face.

2. The minimum width of the planter shall be three feet. Planters may be raised or at grade and may include potted plants.

G. Public Property. Refer to Chapter 13, Article 3, Street Trees and Parkways for street tree, parkway (park strip), and median island requirements in public property.

Also see §15-2306 Landscape Design Standards and §15-2307 General Landscaping Standards

Transition Standards - §15-2305-C

A. Parking Areas per §15-2021 - Trees required for parking lots are in addition to trees required elsewhere on the site. A. Number of trees in residential districts. 1. Multiple-family Residential = Provide 1 tree for each unit = **34 trees required.**

1 tree per each uncovered parking space = **17 trees required in parking lot.**

B-3. Multiple residential uses with 4 or more dwellings - indicates all required setbacks except for entry/exits, as follows:

C. Lot Perimeters – Landscape buffers shall be installed and maintained along the side and rear lot lines between differing land uses, in accordance with the sections of this article and the following standards:

Table 15-2305-C-1 Landscape Buffer 'Type 1' requires a minimum buffer yard of 10-feet wide.

Table 15-2305-C-2 requires Buffer Yards to be planted with 2 large & 2 small to medium trees, 6 large & 8 small to medium shrubs for every 100 linear feet. At 1,312 feet, an average of 4 trees/100-feet (13.12×4) = 52.48 for **53 trees required in buffer.** Trees per unit may be included.

Total Number of Trees required = 17 + 53 = 70 Trees required

Proposed	Landscape Plan notes show 92 trees, comprised of 25 medium-large and 67 medium tree 'equivalents' (83 small + 51 palm = 134 + 25 = 159 trees total). A total of 68 evergreen trees are shown in the 10-foot buffer measuring 1,312 feet, an average of 1 tree every 19 feet. Another 63 mixed trees are shown in parking areas, with 11 mixed palm trees in courtyards and at the property frontage.
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SUMMARY AND OTHER COMMENTS /REQUIREMENTS

A. Miscellaneous

- (1) Provide shade calculations on the final Landscape Plan (condition of approval) as a for parking lot shading in accordance with the attached Development Department, Performance Standards for Parking Lot Shading, including tree species and tree counts.
- (2) See the attached Notes and Requirements for Entitlement Applications for additional general notes and requirements for development applications.
- (3) Any development agreements, covenants or easements, etc. required for previous development of the project site will be required for review, and must be dedicated and/or recorded prior to any further development approval.

B. Local Plans and Policies

(1) **Fresno General Plan**

- Subject to General Plan Design Guidelines (attached)

Urban Form, Goal 7 – provide for a diversity of districts, neighborhoods, housing types (including affordable housing) residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.

Urban Form, Goal 10 – Emphasize increased land use intensity and mixed-use development at densities supportive of greater use of transit in Fresno.

The proposed project will provide a housing type that is comparable to the surrounding neighborhood, at a higher density and intensity of land use than adjacent single-family residential zone to the west and the church property to the east. The project, as proposed will provide a buffer between the church use and the lower density single-family residential zone.

(2) **Woodward Park Community Plan –**

Goal 1.3 – Plan for a diversity of residential types, densities, and locations in order to achieve plan goals with respect to providing housing opportunities, balanced urban growth, efficient use of resources and public facilities, and maintenance of a safe, attractive, and stable community.

- Policy 1-3.5 – Medium density residential planned developments are appropriate for those sites that meet some, but not all, of the criteria for medium-high density residential use. An increased density, together with design flexibility, will facilitate the desirable and compatible development of a difficult parcel without reducing the level of service provided by planned public facilities.

The project site has direct access to a major street, does not pass through adjacent neighborhoods, is adjacent to a neighborhood that is below planned density, and public facilities and services are available to serve the project.

- Policy 1-3.8 – The following **design guidelines** shall be considered for application to all multiple-family residential development entitlements adjacent to land that is designated for single-family residential use. These measures **are not prescriptive and may be modified where determined appropriate** by the City of Fresno in order to best serve the

health, safety, and welfare of the community. These measures may be waived where the adjacent single-family residential designated land is developed with or approved for a non-residential use.

- a. Outdoor recreational areas, game courts, swimming pools, and solid waste collection areas on property zoned for multiple-family residential uses shall be oriented away from properties zoned or planned for single-family residential uses.
- b. Parking areas, carports, garages, accessory structures, and access drives shall be separated from abutting properties zoned or planned for single-family residential use with a landscaped setback 15-feet wide in conjunction with a solid masonry wall six-feet high on the property line.
- c. Multiple-family buildings greater than one-story (20 feet) in height shall be prohibited within 75 feet of property zoned or planned for single-family residential.

The Development Code is the controlling document over other plans according to FMC §15-104-B.4. Priority of Plans, item a. which states “In the event of conflict between the Code and any operative plan guidelines, this Code shall control”.

Goal 5-1 – Provide an adequate supply of sound, affordable housing to meet the housing needs of the area.

- **Policy 5-1.2** - Facilitate the development of new elderly housing projects that are accessible to public transportation and services. Elderly housing projects shall not be converted to nonelderly housing.

FAX route 58 traverses along N. Millbrook at E. Shepherd Avenue, 780 feet to the west of the project site, one of few bus routes in this northern area of Fresno.

Use the following links to review City development regulations and requirements:

[Fresno Citywide Development Code](#)

General Site Regulations – [Article 20](#) and [Standards, Specifications, and Standard Drawings of the City of Fresno Public Works Department](#).

Landscaping – [Article 23](#)

Parking & Loading – [Article 24](#), and [City of Fresno Parking Manual](#).

Performance Standards – [Article 25](#)

Notes and Requirements for Entitlement Applications –

<https://www.google.com/url?q=http://www.fresno.gov/NR/rdonlyres/433BBBE5-0F16-4240-9FD8-49F73F23DEEC/0/GeneralNotesandRequirementsv611714.pdf&sa=U&ved=0CAQQFjAAahUKEwjOsLEqNTHAhXRBpIKHeiFAN8&client=internal-uds-cse&usg=AFQjCNHN-zRN2t-JtZafwzOOnczCzXMMVSg>

General Plan Guidelines -

<https://www.google.com/url?q=http://www.fresno.gov/planningdocs/Policies/F20.pdf&sa=U&ved=0CAcQFjABahUKEwid5rP5p9THAhXDEZIKHUVmAZ4&client=internal-uds-cse&usg=AFQjCNG9r5WzYLC4nLYeRpNlImh8HxEDAUQ>

Fire Department Standards - [Development Standards for Access and Hydrants for the City of Fresno](#)

Public Works Department - [Standards, Specifications, and Standard Drawings of the City of Fresno Public Works Department.](#)

Solid Waste Receptacles - [constructed to standard.](#)



FIRE DEPARTMENT

DATE: May 12, 2016

TO: LAUREN FILICE, Planner III
Development and Resource Management Department

FROM: LESLIE FORSHEY, Senior Fire Prevention Inspector
Fire Department, Community Risk Reduction Unit

SUBJECT: 1161 E SHEPHERD, A-16-005, D-16-031
APN: 403-021-03

The Fire Department's conditions of approval include the following:

1. () This project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of DARM when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.
2. () All revisions to plans shall be called out with a cloud or delta.
3. () If you have questions and would like more information regarding FFD Development Policies please see the following:
<http://www.fresno.gov/Government/DepartmentDirectory/Fire/FirePreventionandInspection/policies.htm>
4. () Provide approved police/fire bypass lock ("Best" padlock model 21B700 series or electric cylinder switch model 1W7B2) on drive access gate/s. All electrified gates shall be equipped with both the Best electric cylinder lock 1W7B2 **and** "Click to Enter" system. A Knox padlock may not be used in place of the Best padlock model 21B700. Gates/fences shall not obstruct minimum width required for fire lanes.
5. () Install on site hydrant(s) with a minimum 8 inch main and a fire flow of 2500 GPM. See plan for location(s). Sprinklered apartments. Public and private hydrants for multi-family dwellings are spaced a maximum of 450 feet apart. Mark the placement of the hydrants on the site plan.

6. () Note on plan: Fire hydrants and access roads shall be installed, tested and approved and shall be maintained serviceable prior to and during all phases of development. The 4 1/2" outlet shall face the access lane.
7. () Note on plans: Access roadways shall be constructed within 10' of the fire hydrant.
8. () Note on plan: All construction work on this project is subject to interruption if the road system becomes impassable for fire apparatus.
9. () Note on plan: All required fire access lanes shall be provided and maintained with an approved "all weather" surface capable of supporting 80,000 lb. vehicles (minimum 4" of base rock over compacted or undisturbed native soil or per approved engineered plans) year-around and during all phases of development with 24 feet minimum width or other approved method that would prevent shoulder degradation.
10. () Turnarounds shall be identified as fire lanes.
11. () Provide note on site plan: Provide sign(s) (17 "x22" minimum) at all public entrance drives to the property which state "Warning – Vehicles stopped, parked or left standing in fire lanes will be immediately removed at owner's expense – 22658(a) California Vehicle Code – Fresno Police Department 621-2300."
12. () Curbs designated as "Fire Lane" shall be painted red and have "Fire Lane" stenciled in minimum 3" white letters every 50' or portion thereof. For requirements see policy 403.5 at the link listed in comment #3. See the yellow highlighted areas on the plan for the Fire Lane designation.

City Hall
2600 Fresno Street, 4th Floor
Fresno, California 93721
Ph. (559) 621-8800
www.fresno.gov

Scott L. Mozier, P.E.
Public Works Director

May 10, 2016

Lauren Filice
Development and Resources Management Department
2600 Fresno Street, 3rd Floor
Fresno, CA 93721

**SUBJECT: REVIEW OF THE TRIP GENERATION ANALYSIS DATED MAY 2, 2016 FOR THE PROPOSED REZONE AND GENERAL PLAN AMENDMENT FOR THE PROPERTY LOCATED AT 1161 EAST SHEPHERD AVENUE
TIS 16-006, A-16-005, R-16-006, D-16-031**

PROJECT ANALYSIS OVERVIEW

We have reviewed the Trip Generation Analysis prepared by JLB Traffic Engineering, Inc. for the proposed Rezone and General Plan Amendment (GPA), "project", for the property located at the 1161 East Shepherd Avenue. The project proposes to construct a 34-unit apartment development on an approximately 2.27 acre site. The proposed project site is currently zoned RS-4/UGM (Residential Single Family, Medium Low Density/Urban Growth Management) and is designated as Medium Low Density Residential in the General Plan. The proposed rezone would reclassify the property to the RM-1/UGM (Residential Multi-Family Medium High Density/Urban Growth Management) zone district and the GPA would amend the land use designation to Medium High Density (RM-1/UGM). A single family dwelling unit currently exists on the proposed project site.

Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 9th Edition. A comparison of the projected trips to be generated with the original and proposed zoning/land use is shown in the following table.

Land Use	Size	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Existing GP Designation Single Family Dwelling Units (ITE Code 210)	13 DU	124	3	7	10	8	5	13
Proposed GP Designation Apartments (ITE Code 210)	34 DU	226	3	14	17	14	7	21
Difference		102	0	7	7	6	2	8

DU = dwelling units

The project site is located in Traffic Impact Zone (TIZ) III. Traffic Impact Zone III allows for 100 peak hour trips to be generated by a project before a Traffic Impact Study is required. Because the proposed project is projected to generate less than 100 peak hour trips, a Traffic Impact Study will not be required.

GENERAL COMMENTS and CONDITIONS

1. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee of \$47.12 per ADT, per the Master Fee Schedule, at the time of building permit. Based on the weekday total ADT of 226 for the proposed project, the fee would be \$10,649.12 payable at the time of the building permit.

The TSMI fee facilitates project impact mitigation to the City of Fresno Traffic Signal infrastructure so that costs are applied to each new project/building based on the generated ADT. The TSMI fee is credited against traffic signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the 2035 General Plan circulation element and are included in the Nexus Study for the TSMI fee. The TSMI fee is regularly updated as new traffic signals are added, new grant funds offset developer improvement costs, and/or construction costs increase/decrease. If the project is conditioned with traffic signal improvements in excess of their TSMI fee amount, the applicant may apply for fee credits (security/bonding and/or developer agreement required) and/or reimbursement for work in excess of their fee as long as the infrastructure is in place at the ultimate location. The applicant should work with the Public Works Department and identify, with a Professional Engineers estimate, the costs associated with the improvements prior to paying the TSMI fee to determine any applicable fee credits and/or reimbursements.

For project specific impacts that are not consistent with the 2035 General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible for reimbursement unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS infrastructure in the next TSMI fee update and the applicant agrees to pay the new TSMI fee that includes the new infrastructure. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence.

2. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.
3. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; www.fresnocog.org. Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.

4. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
5. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section.

If you have any further questions regarding this matter, please contact me at (559) 621-8792 or jill.gormley@fresno.gov.

Sincerely,



Jill Gormley, TE
City Traffic Engineer / Traffic Engineering Manager
Public Works Department, Traffic & Engineering Services

C: Copy filed with Traffic Impact Study
Louise Gilio, Traffic Planning Supervisor
Jose Benavides, JLB Engineering, Inc.



FIRE DEPARTMENT

DATE: April 25, 2016

TO: LAUREN FILICE, Planner III
Development and Resource Management Department

FROM: LESLIE FORSHEY, Senior Fire Prevention Inspector
Fire Department, Community Risk Reduction Unit

SUBJECT: 1161 E SHEPHERD, A-16-005, D-16-031
APN: 403-021-03

The Fire Department's conditions of approval include the following:

1. () This project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building(s) on site. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building and Safety Section of DARM when a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building.
2. () All revisions to plans shall be called out with a cloud or delta.
3. () If you have questions and would like more information regarding FFD Development Policies please see the following:
<http://www.fresno.gov/Government/DepartmentDirectory/Fire/FirePreventionandInspection/policies.htm>
4. () Exterior elevations pages were not included in the site plan review. Vertical access may be required depending on the heights of the buildings. Submit vertical elevation pages and if vertical access applies ensure to comply with our policy on vertical access located at the link listed above in item #3.
5. () Provide approved police/fire bypass lock ("Best" padlock model 21B700 series or electric cylinder switch model 1W7B2) on drive access gate/s. All electrified gates shall be equipped with both the Best electric cylinder lock 1W7B2 **and** "Click to Enter" system. A Knox padlock may not be used in place of the Best padlock model 21B700. Gates/fences shall not obstruct minimum width required for fire lanes.

6. () Install on site hydrant(s) with a minimum 8 inch main and a fire flow of 2500 GPM. See plan for location(s). Sprinklered apartments. Public and private hydrants for multi-family dwellings are spaced a maximum of 450 feet apart. Mark the placement of the hydrants on the site plan.
7. () Note on plan: Fire hydrants and access roads shall be installed, tested and approved and shall be maintained serviceable prior to and during all phases of development. The 4 1/2" outlet shall face the access lane.
8. () Note on plans: Access roadways shall be constructed within 10' of the fire hydrant.
9. () Note on plan: All construction work on this project is subject to interruption if the road system becomes impassable for fire apparatus.
10. () Note on plan: All required fire access lanes shall be provided and maintained with an approved "all weather" surface capable of supporting 80,000 lb. vehicles (minimum 4" of base rock over compacted or undisturbed native soil or per approved engineered plans) year-around and during all phases of development with 24 feet minimum width or other approved method that would prevent shoulder degradation.
11. () Turnarounds shall be identified as fire lanes.
12. () Provide note on site plan: Provide sign(s) (17 "x22" minimum) at all public entrance drives to the property which state "Warning -- Vehicles stopped, parked or left standing in fire lanes will be immediately removed at owner's expense -- 22658(a) California Vehicle Code -- Fresno Police Department 621-2300."
13. () Curbs designated as "Fire Lane" shall be painted red and have "Fire Lane" stenciled in minimum 3" white letters every 50' or portion thereof. For requirements see policy 403.5 at the link listed in comment #3. See the yellow highlighted areas on the plan for the Fire Lane designation.

**CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
PLAN AMENDMENT APPLICATION NO. A-16-005
and REZONE APPLICATION NO. R-16-006 and
DEVELOPMENT PERMIT APPLICATION NO. D-16-031**

Return Completed Form to:

Lauren Filice, Development Services/Planning

Email: Lauren.Filice@fresno.gov and

Joann.Zuniga@fresno.gov

Development and Resource Management

2600 Fresno Street, Third Floor

Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 were filed by Nick Yovino Jr, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, and pertain to ±2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues. Plan Amendment Application No. A-16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the Medium Low Density Residential planned land use designation to the Medium High Density Residential land use designation. Rezone Application No. R-16-006 proposes to amend the Official Zone Map to reclassify the subject property from RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) to the RM-1/UGM (*Residential Multi-Family Medium High Density/Urban Growth Management*) zone district. Development Permit Application No. D-16-031 proposes a gated 34-unit multiple family residential development.

APN: 403-021-03 ZONING: From RS-4/UGM To RM-1/UGM ADDRESS: 1161 E Shepherd Ave

DATE ROUTED: April 1, 2016

COMMENT DEADLINE: April 15, 2016

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

Please refer to the FMFCD Rezone/Plan Amendment Letter for R-16-006 and A-16-005.

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

Same as above.

REQUIRED CONDITIONS OF APPROVAL:

Same as above.

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

None.

REVIEWED BY:

Michael Maxwell, Engineering Tech.

559-456-3292

Name and Title

Telephone Number

Date

4/22/16



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 210.414
400.21
410.207
550.10 "DK"

April 22, 2016

Ms. Lauren Filice
Development Services/Planning Division
City of Fresno, Development and Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

Dear Ms. Filice,

Rezone Application No. R-16-006
Plan Amendment Application No. A-16-005
Drainage Area "DK"

The District has reviewed the land use changes proposed through the subject rezone. The District's existing Master Plan drainage system was designed to serve medium-low density residential uses and it does not have the capacity to accommodate the increased runoff generated by the proposed medium-high density residential land use.

The District requests that as a condition of the rezone, the developer be required to mitigate the impacts of the increased runoff from the proposed medium-high density residential land use to a rate that would be expected if developed to a medium-low density residential land use. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Implementation of the mitigation measures may be deferred until the time of development.

Should the developer choose to construct a permanent peak reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by the medium-high density residential land use development to a two-year discharge, which would be produced by the property if developed at a medium-low density residential land use. The developer will be required to submit improvement plans to the District for review and approval showing the proposed method of mitigation prior to implementation.

Should you have any questions concerning this matter, please feel free to contact the District.

Very truly yours,


Michael Maxwell
Engineer Technician III

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
PLAN AMENDMENT APPLICATION NO. A-16-005
and REZONE APPLICATION NO. R-16-006 and
DEVELOPMENT PERMIT APPLICATION NO. D-16-031

Return Completed Form to:
Lauren Filice, Development Services/Planning
Email: Lauren.Filice@fresno.gov and
Joann.Zuniga@fresno.gov
Development and Resource Management
2600 Fresno Street, Third Floor
Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 were filed by Nick Yovino Jr, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, and pertain to ±2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues. Plan Amendment Application No. A-16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the Medium Low Density Residential planned land use designation to the Medium High Density Residential land use designation. Rezone Application No. R-16-006 proposes to amend the Official Zone Map to reclassify the subject property from RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) to the RM-1/UGM (*Residential Multi-Family Medium High Density/Urban Growth Management*) zone district. Development Permit Application No. D-16-031 proposes a gated 34-unit multiple family residential development.

APN: 403-021-03 ZONING: From RS-4/UGM To RM-1/UGM ADDRESS: 1161 E Shepherd Ave

DATE ROUTED: April 1, 2016

COMMENT DEADLINE: April 15, 2016

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

Please refer to the FMFCD Rezone/Plan Amendment Letter for R-16-006 and A-16-005.

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

Same as above.

REQUIRED CONDITIONS OF APPROVAL:

Same as above.

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

None.

REVIEWED BY:

Michael Maxwell, Engineering Tech.

559-456-3292

4/22/16

Name and Title

Telephone Number

Date



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 210.414
400.21
410.207
550.10 "DK"

April 22, 2016

Ms. Lauren Filice
Development Services/Planning Division
City of Fresno, Development and Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

Dear Ms. Filice,

Rezone Application No. R-16-006
Plan Amendment Application No. A-16-005
Drainage Area "DK"

The District has reviewed the land use changes proposed through the subject rezone. The District's existing Master Plan drainage system was designed to serve medium-low density residential uses and it does not have the capacity to accommodate the increased runoff generated by the proposed medium-high density residential land use.

The District requests that as a condition of the rezone, the developer be required to mitigate the impacts of the increased runoff from the proposed medium-high density residential land use to a rate that would be expected if developed to a medium-low density residential land use. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Implementation of the mitigation measures may be deferred until the time of development.

Should the developer choose to construct a permanent peak reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by the medium-high density residential land use development to a two-year discharge, which would be produced by the property if developed at a medium-low density residential land use. The developer will be required to submit improvement plans to the District for review and approval showing the proposed method of mitigation prior to implementation.

Should you have any questions concerning this matter, please feel free to contact the District.

Very truly yours,

Michael Maxwell
Engineer Technician III

MM/lrl

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

File No. 210.412

Page 1 of 4

PUBLIC AGENCY

LAUREN FILICE
DEVELOPMENT AND RESOURCE MANAGEMENT
CITY OF FRESNO
2600 FRESNO STREET, THIRD FLOOR
FRESNO, CA 93721-3604

DEVELOPER

MARK AWAD, DREW COURT, LLC.
8401 N. FRESNO ST.
FRESNO, CA 93720

PROJECT NO: 2016-031

ADDRESS: 1161 E. SHEPHERD AVE.

APN: 403-021-03

SENT: 4/22/16

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
DK	\$7,447.00	NOR Review	\$84.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$425.00	Amount to be submitted with first grading plan submittal
Total Drainage Fee: \$7,447.00		Total Service Charge: \$509.00		

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

Pursuant to the District's Development Review Fee Policy, the subject project shall pay review fees for issuance of this Notice of Requirements (NOR) and any plan submittals requiring the District's reviews. The NOR fee shall be paid to the District by Developer before the Notice of Requirement will be submitted to the City. The Grading Plan fee shall be paid upon first submittal. The Storm Drain Plan fee shall be paid prior to return/pick up of first submittal.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/17 based on the site plan submitted to the District on 4/01/16 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

Considerations which may affect the fee obligation(s) or the timing or form of fee payment:

- a.) Fees related to undeveloped or phased portions of the project may be deferrable.
- b.) Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- c.) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Master Plan facilities exceeds the drainage fee obligation, reimbursement will be made for the excess costs from future fees collected by the District from other development.
- f.) Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

FR DPA No. 2016-031

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS**

Page 2 of 4

Approval of this development shall be conditioned upon compliance with these District Requirements.

1. ☒ a. Drainage from the site shall BE DIRECTED TO SHEPHERD AVE.
☐ b. Grading and drainage patterns shall be as identified on Exhibit No.
☐ c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
☐ Developer shall construct facilities as shown on Exhibit No. 1 as "MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER".
☒ None required.

3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:
☒ Grading Plan
☐ Street Plan
☐ Storm Drain Plan
☐ Water & Sewer Plan
☐ Final Map
☐ Drainage Report (to be submitted with tentative map)
☐ Other
☐ None Required

4. Availability of drainage facilities:
☒ a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
☐ b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.
☐ c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.
☐ d. See Exhibit No. 2.

5. The proposed development:
☐ Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
☒ Does not appear to be located within a flood prone area.

6. ☐ The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.


FR DPA No. 2016-031

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS**


Page 3 of 4

FR DPA No. 2016-031

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
 - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 1997 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
 - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10. X See Exhibit No. 2 for additional comments, recommendations and requirements.



Debbie Campbell
Design Engineer



Michael Maxwell
Project Engineer

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS**

Page 4 of 4

CC:

NICK YOVINO, JR., CALIFORNIA LAND CONSULTING

1879 S. HOMSY AVE.

FRESNO, CA 93727

FR DPA No. 2016-031

OTHER REQUIREMENTS
EXHIBIT NO. 2

The District's existing Master Plan drainage system is designed to serve medium low density residential uses and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed medium high density residential type land use. The developer shall be required to mitigate the impacts of the increased runoff from the proposed medium high density residential type land use to a rate that would be expected if developed to medium low density residential. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by a medium high density residential type density development, to a two-year discharge, which would be produced by the property if developed medium low density residential. Implementation of the mitigation measures may be deferred until the time of development.

In an effort to improve storm runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

The District encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff.

Development No. DPA 2016-031

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
PLAN AMENDMENT APPLICATION NO. A-16-005
and REZONE APPLICATION NO. R-16-006 and
DEVELOPMENT PERMIT APPLICATION NO. D-16-031

Return Completed Form to:

Lauren Filice, Development Services/Planning

Email: Lauren.Filice@fresno.gov and

Joann.Zuniga@fresno.gov

Development and Resource Management

2600 Fresno Street, Third Floor

Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 were filed by Nick Yovino Jr, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, and pertain to ±2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues. Plan Amendment Application No. A-16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the Medium Low Density Residential planned land use designation to the Medium High Density Residential land use designation. Rezone Application No. R-16-006 proposes to amend the Official Zone Map to reclassify the subject property from RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) to the RM-1/UGM (*Residential Multi-Family Medium High Density/Urban Growth Management*) zone district. Development Permit Application No. D-16-031 proposes a gated 34-unit multiple family residential development.

APN: 403-021-03 ZONING: From RS-4/UGM To RM-1/UGM ADDRESS: 1161 E Shepherd Ave

DATE ROUTED: April 1, 2016

COMMENT DEADLINE: April 15, 2016

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

Please refer to the FMFCD Notice of Requirements for D-16-031.

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

Same as above.

REQUIRED CONDITIONS OF APPROVAL:

Same as above.

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

None.

REVIEWED BY: Michael Maxwell, Engineering Tech. 559-456-3292

Name and Title

Telephone Number

Date

4/22/16



**DEPARTMENT OF PUBLIC UTILITIES
ADMINISTRATION DIVISION
MEMORANDUM**



Providing Life's Essential Services

Date: April 20, 2016

To: LAUREN FILICE, Planner III
Planning and Development

From: KEVIN GRAY, Supervising Engineering Technician
Department of Public Utilities, Planning and Engineering Division

Subject: SEWER REQUIREMENTS FOR DEVELOPMENT PERMIT APPLICATION
No. D-16-031, REZONE APPLICATION No. R-16-006 AND PLAN AMENDMENT
APPLICATION No. A-16-005

General

Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 were filed by Nick Yovino Jr, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, and pertain to ±2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues, 1161 E. Shepherd Avenue & APN: 403-021-03. Plan Amendment Application No. A-16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the Medium Low Density Residential planned land use designation to the Medium High Density Residential land use designation. Rezone Application No. R-16-006 proposes to amend the Official Zone Map to reclassify the subject property from RS-4/UGM (Residential Single Family, Medium Low Density/Urban Growth Management) to the RM-1/UGM (Residential Multi-Family Medium High Density/Urban Growth Management) zone district. Development Permit Application No. D-16-031 proposes a gated 34-unit multiple family residential development.

Sewer Requirements

The nearest sanitary sewer main to serve the proposed project is an 8-inch sewer main located in East Shepherd Avenue. Sewer facilities are available to provide service to the site subject to the following requirements:

1. Installation of sewer house branch(s) shall be required.
2. On-site sanitary sewer facilities shall be private.
3. Abandon any existing on-site private septic systems.
4. The Project Developer shall contact Wastewater Management Division/Environmental Services at (559) 621-5100 prior to pulling building permits regarding conditions of service for special users.



A Nationally Accredited Public Utility Agency

Sewer Fees

The following Sewer Connection Charges are due and shall be paid for the Project:

1. Sewer Lateral Charge
2. Sewer Oversize Charge Area: 4
3. Sewer Facility Charge(Multi-Residential Only)
4. Upon connection of this Project to the City Sewer System the owner shall be subject to payment of Sewer Facility charges per Fresno Municipal Code Section 6-304 and 6-305. Sewer Facility Charges consist of two components, a Wastewater Facilities Charge and Trunk Sewer Charge where applicable.
5. Sewer Facility Charges are collected after occupancy on a monthly basis over time based on metered (water or sewer effluent) usage. The developer may contact the Department of Public Utilities/Wastewater-Environmental Control at (559) 621-5153 to receive an estimated cost of the Sewer Facility Charges applicable to the project (based on a constant sewer discharge and loading (Biochemical Oxygen Demand [BOD] and Total Suspended Solids [TSS] levels anticipated) at the current rates in effect, at that time, per Fresno's Master Fee Resolution. The developer shall provide data regarding estimated sewer discharge rates [flow] and loading [BOD/TSS levels] required for calculating the estimated charges.



DISTRICT 6 PLAN IMPLEMENTATION COMMITTEE

PROJECT REVIEW April 18, 2016

Project Record

PROJECT INFORMATION, Agenda Item 5a

Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 were filed by Nick Yovino Jr, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, and pertain to ±2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues. **Plan Amendment Application No. A-16-005** proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the Medium Low Density Residential planned land use designation to the Medium High Density Residential land use designation. **Rezone Application No. R-16-006** proposes to amend the Official Zone Map to reclassify the subject property from RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) to the RM-1/UGM (*Residential Multi-Family Medium High Density/Urban Growth Management*) zone district. **Development Permit Application No. D-16-031** proposes a gated 34-unit multiple family residential development.

APN: 403-021-03 / ZONING: From RS-4/UGM to RM-1/UGM / ADDRESS: 1161 E Shepherd Ave

COMMITTEE RECOMMENDATION

☒ APPROVE ☐ APPROVE WITH CONDITIONS ☐ DENY ☐ NO ACTION

	Forrest	Brown	Engleman	Linder	Sidhu	Vecchiarelli	Walker
M / S	<i>BT</i>	<i>[Signature]</i>					<i>S</i>
Approve	<i>BT</i>	<i>BT</i>				<i>SV</i>	<i>[Signature]</i>
Deny							
Abstain							
Absent			<i>/</i>	<i>/</i>	<i>/</i>		

COMMITTEE CONDITIONS / COMMENTS

NONE, APPROVED AS PROPOSED.

Staff Liaison: *Poojit Kachadourian*

Date *4/18/16*



DEPARTMENT OF PUBLIC UTILITIES

Date: April 18, 2016

To: LAUREN FILICE, Planner III
Development and Resource Management Department , Current Planning

From: MIKEAL CHICO, Management Analyst II
Solid Waste Management Division

A handwritten signature in black ink, appearing to be "Mikeal Chico", written over the "From:" line.

Subject: Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 were filed by Nick Yovino Jr, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, and pertain to ±2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues, 1161 E. Shepherd Avenue & APN: 403-021-03. Plan Amendment Application No. A 16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the Medium Low Density Residential planned land use designation to the Medium High Density Residential land use designation. Rezone Application No. R-16-006 proposes to amend the Official Zone Map to reclassify the subject property from RS-4/UGM (Residential Single Family, Medium Low Density/Urban Growth Management) to the RM-1/UGM (Residential Multi-Family Medium High Density/Urban Growth Management) zone district. Development Permit Application No. D-16-031 proposes a gated 34-unit multiple family residential development.

General

This location is serviced by a Commercial Solid Waste Franchisee. For service information, please contact Allied Waste at 559-275-1551 or 800-493-4285.

Does Project Affect Your Agency/Jurisdiction

Yes - Project has or will be required to provide a trash enclosure.

Suggestions to Reduce Impacts/Address Concerns

Provide 44' (centerline) turning radius.

Recommended Conditions of Approval

2-cell trash enclosure required.

The project will be required to provide a solid roof cover over the proposed enclosure to prevent contaminated storm water from flowing into the storm water drainage basins.

Additional Information

Location of enclosure is acceptable.

Multi-Family Solid Waste Service Requirements
(2 Units = 1 Cubic Yard of Solid Waste and Recyclable Pick Up Per Week)

UNITS	CUBIC YD PU/ WK	# OF ENC	TIMES PER WEEK, ROUNDED UP, WITH BIN SIZE:					
			1 CYB	2 CYB	3 CYB	4 CYB	5 CYB	6 CYB*
34	17	1	9	4	3	2	2	1
34	17	2	4	2	1	1	1	1
34	17	3	3	1	1	1	1	0
34	17	4	2	1	1	1	0	0
34	17	5	2	1	1	0	0	0
34	17	6	1	1	0	0	0	0
34	17	7	1	1	0	0	0	0
34	17	8	1	1	0	0	0	0
34	17	9	1	0	0	0	0	0

*6 cubic yard bin requires front load access (there are no wheels).



PUBLIC WORKS DEPARTMENT:

DATE: April 15, 2016

TO: Lauren Filice
Development and Resource Management Department, Planning Division

THROUGH: Louise Gilio, Traffic Planning Supervisor
Public Works Department, Traffic and Engineering Division

FROM: Jairo Mata, Engineer II
Public Works Department, Traffic and Engineering Division

PLAN AMENDMENT APPLICATION NO. A-16-005

REZONE APPLICATION NO. R-16-005

OWNER (S): Marcil Awad

APN (S): 403-201-03

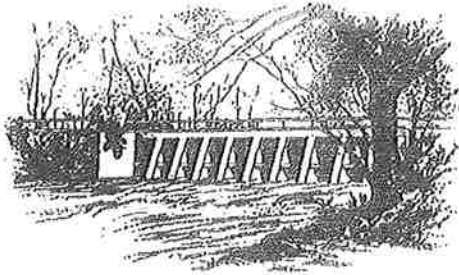
LOCATION: 1161 East Shepherd Avenue

Trip Generation									
	Acres	From	ADT'S	AM	PM	To	ADT'S	AM	PM
	2.27	Medium Low Density RS-4/UGM	124	10	13	Medium High Density Residential RM-1/UGM	239	18	22

Highway Capacity					
	Existing	ADT'S	Actual ADT's	Projected	ADT'S
East Shepherd Avenue Arterial	4-lane divided	32,000	3/28/2013 14,021 ADT'S	4 -lane divided	32,000

Traffic Impact Study (TIS) required: Yes

The Developer/Owner should consult with the City of Fresno Traffic Engineering Section for the scope of the Traffic Impact Study (TIS). A trip distribution for the proposed project should be provided prior to consulting with the Traffic Engineering Section. The TIS shall identify the mitigation measures, which would mitigate the project and/or other related projects' significant impacts to a level of insignificance. Multiple-family residential, commercial, institutional, industrial and office projects shall be designed such that related traffic will not route through local residential streets.



YOUR MOST VALUABLE RESOURCE • WATER

OFFICE OF
**FRESNO
IRRIGATION DISTRICT**

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2208

April 12, 2016

Lauren Filice
Development and Resource Management
City of Fresno
2600 Fresno Street, Third Floor
Fresno, CA 93721

RE: Plan Amendment Application No. A-16-031, Rezone Application No. R-16-006,
and Development Application No. D-16-031
SAW Shepherd and Cedar avenues

Dear Ms. Filice:

The Fresno Irrigation District (FID) has reviewed the Plan Amendment Application No. A-16-031, Rezone Application No. R-16-006, and Development Application No. D-16-031 for which the applicant requests to rezone the subject property from Medium Low Residential to Medium High Residential and proposes a gated 34-unit multiple family residential development, APN: 403-021-03. FID has the following comments:

1. FID does not own, operate or maintain any facility located on the subject property as shown on the attached FID exhibit map.
2. For informational purposes, FID's active Forkner No. 121 Pipeline runs westerly approximately 650 feet south of the subject property and crosses Millbrook Avenue approximately 1,000 feet west of the subject property as shown on the attached FID exhibit map. Should this project include any street and or utility improvements along Millbrook Avenue or in the vicinity of the pipeline, FID requires it review and approve all plans.
3. For informational purposes, FID's active Slavonian No. 120 Pipeline runs westerly approximately 650 feet south of the subject property and crosses Cedar Avenue approximately 1,500 feet east of the subject property as shown on the attached FID exhibit map. Should this project include any street and or utility improvements along Cedar Avenue or in the vicinity of the pipeline, FID requires it review and approve all plans.

G:\Agencies\FresnoCity\Amendment Application\A-16-031.doc

Lauren Filice

Re: Plan Amendment Application No. A-16-031, Rezone Application No. R-16-006, and Development Application No. D-16-031

April 12, 2016

Page 2 of 2

4. For informational purposes, FID's active Enterprise No. 109 Pipeline runs southerly and crosses Shepherd Avenue approximately 2,800 feet east of the subject property as shown on the attached FID exhibit map. Should this project include any street and or utility improvements along Shepherd Avenue or in the vicinity of the pipeline, FID requires it review and approve all plans.

Thank you for submitting the proposed project for our review. We appreciate the opportunity to review and comment on the subject documents for this project. If you have any questions please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Laurence Kimura', with a stylized flourish at the end.

Laurence Kimura, P.E.
Chief Engineer

Attachment

Lauren Filice

From: CEQA E-mail <CEQA@valleyair.org>
Sent: Friday, April 08, 2016 11:19 AM
To: Joann Zuniga
Cc: Lauren Filice
Subject: RE: Request for Comment - Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, Development Permit Application No. D-16-031

The District will have no comment.

Cherie Clark
Air Quality Specialist
Permits
San Joaquin Valley APCD
1990 E. Gettysburg Ave.
Fresno, CA 93726
559-230-5940

*Service*Teamwork*Attitude*Respect*

From: Joann Zuniga [mailto:Joann.Zuniga@fresno.gov]
Sent: Friday, April 1, 2016 12:01 PM
To: Louise Gilio; Jairo Mata; Melessa Avakian; Ann Lillie; Hilary Kimber; Mikeal Chico; Michael Carbajal; Robert Diaz; Doug Hecker; Kevin Gray; Darla Scott; Laurie Sawhill; skahl@co.fresno.ca.us; glallen@co.fresno.ca.us; jgardner@co.fresno.ca.us; ktsuda@co.fresno.ca.us; CEQA E-mail; Patia Siong; engr-review@fresnoirrigation.com; developmentreview@fresnofloodcontrol.org; 'Don Ulrich'; ajs4@pge.com; D3P4@pge.com; cathy.s.gilles@usps.gov; Sophia Pagoulatos; Daniel Zack; Michelle Zumwalt; Jeff Long; Lee Brand; Ginger Barrett; Kathy Wilson; Ralph Kachadourian
Cc: Lauren Filice
Subject: Request for Comment - Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, Development Permit Application No. D-16-031

Commenting Partners:

You have been identified as the best contact to provide your department/agency's review and comments for the subject project. Please click the following link and download an electronic copy of the project package for review.

Project Address: 1161 East Shepherd Avenue
APN: 403-021-03

<http://m3.fresno.gov/upload/files/108417350/D16031electronicrouting.pdf> (click on bookmarks to navigate).

We look forward to receiving your responses electronically and any comments you may have by the April 15, 2016, comment deadline. If you do not have any comments, please communicate a "No Comment" response. Please email your comments directly to the Development Services Division attention Lauren.Filice@fresno.gov and Joann.Zuniga@fresno.gov.



DATE: April 6, 2016

TO: Lauren Filice, Development Services/Planning
Development and Resource Management Department

FROM: Ann Lillie, Senior Engineering Technician
Public Works Department, Traffic and Engineering Services Division

SUBJECT: CONDITIONS OF DEVELOPMENT PERMIT APPLICATION NO. 2016-031 FOR
MAINTENANCE REQUIREMENTS

ADDRESS: 1161 East Shepherd Avenue
APN: 403-021-03

ATTENTION:

The item below requires a separate process with additional costs and timelines. In order to avoid delays with the development approval, the following item shall be submitted for processing to the Public Works Department, Traffic and Engineering Services Division **prior** to Building Permits.

X	Private Maintenance Covenant	Ann Lillie	(559) 621-8690 ann.lillie@fresno.gov
X	AND/OR CFD Annexation Request Package		

The Public Works Department, Traffic and Engineering Services Division, has completed its review and the following requirements are to be placed on this development as a condition of approval by the Public Works Department. These requirements are based on City records, standards and the proposed improvements depicted for this development on the exhibits submitted.

Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed and shall require a revision of this letter.

Any change affecting the items in these conditions requires revision of this letter.

Delays to the final development approval will occur if the maintenance requirements are not met. Time-lines for the processing of the annexation to the CFD and private maintenance covenant require three to four months and SHALL be completed prior to Building Permit approval.

All applicable construction plans for this development are to be submitted to the Traffic and Engineering Services Division for review and approval prior to the CFD and private maintenance covenant process and shall be deemed technically correct. If Landscape and Irrigation Plans

are required, approval of the plans is required prior to the finalization of the CFD process and the approval of this development.

1. The Property Owner's Maintenance Requirements

The long term maintenance and operating costs, including repair and replacement, of certain required public improvements ("Services") associated with all new Commercial, Industrial and Multi-Family developments are the ultimate responsibility of the Property Owner. The property owner shall provide Services either by a mechanism approved by the Public Works Department or by annexing to the City of Fresno's Community Facilities District No. 9 ("CFD No. 9").

The following public improvements (existing and proposed) are eligible for Services by CFD No. 9 as associated with this development:

- Concrete curb and gutters, and sidewalks in the street rights-of-way. **(East Shepherd Avenue)**
- All costs associated with the street lights (including repair and replacement) within public street rights-of-way. **(East Shepherd Avenue)**

2. The Property Owner may choose to do one or both of the following:

- I. The Property Owner may petition the City of Fresno to request annexation to CFD No. 9 by completing and submitting an Annexation Request Package to the Public Works Department, Traffic and Engineering Services Division for review and approval. The Annexation Request Form is available, along with current costs, on-line at the City's website at <http://www.fresno.gov>, under the Public Works Department, Developer Doorway.
 - **Proceedings to annex territory to CFD No. 9 SHALL NOT commence** unless this development is within the City limits and all construction plans (this includes Street, Street Light, Signal and Landscape and Irrigation plans as applicable) are considered technically correct.
 - The annexation process will be put on **HOLD** and the developer notified if all of the requirements for processing are not in compliance. **Technically Correct shall mean that the facilities and quantities to be maintained by CFD No. 9 are not subject to change after acceptance for processing.**
 - The annexation process takes from three to four months and **SHALL** be completed prior to building permit approvals. The review and approval of Landscape and Irrigation Plans are required to be approved by the Public Works Department prior to the completion of the annexation process.
 - Public improvements not listed above will require special approval by the Public Works Department Director or his designee.

-OR-

- II. The Property Owner may provide for Services privately for the above maintenance requirements. All City maintenance requirements not included for annexation to CFD No. 9 for Services **SHALL** be included in a maintenance covenant or some other City approved mechanism for the required Services associated with this

development. Contact the Planner in the Development and Resource Management Department for more details.

Any change to this development that would affect these conditions shall require a revision of this letter.

For any questions regarding these conditions please contact me at (559) 621-8690 / ann.lillie@fresno.gov



County of Fresno

DEPARTMENT OF PUBLIC HEALTH
DAVID POMAVILLE, DIRECTOR

April 5, 2016

Lauren Filice
Development & Resource Management
2600 Fresno Street, Third Floor
Fresno, CA 93721-3604

LU0018458
2602

Dear Ms. Filice:

PROJECT NUMBER: A-16-005, R-16-006 & D-16-031

Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 were filed by Nick Yovino Jr, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, and pertain to ± 2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues. **Plan Amendment Application No. A-16-005** proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the Medium Low Density Residential planned land use designation to the Medium High Density Residential land use designation. **Rezone Application No. R-16-006** proposes to amend the Official Zone Map to reclassify the subject property from RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) to the RM-1/UGM (*Residential Multi-Family Medium High Density/Urban Growth Management*) zone district. **Development Permit Application No. D-16-031** proposes a gated 34-unit multiple family residential development.

APN: 403-021-03 ZONING: From RS-4/UGM To RM-1 /UGM ADDRESS: 1161 E Shepherd Ave

Recommended Conditions of Approval:

- Construction permits for the development should be subject to assurance that the City of Fresno community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water-Southern Branch. For more information call (559) 447-3300.
- Construction permits for development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- The proposed construction/demolition project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.

The following comments pertain to the demolition of the existing structure:

- Should the structure have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structure in order to prevent the spread of vectors to adjacent properties.

Promotion, preservation and protection of the community's health

1221 Fulton Mall / P.O. Box 11867 / Fresno, California 93775 / Phone (559) 600-3271 / FAX (559) 455-4646
Email: EnvironmentalHealth@co.fresno.ca.us ♦ www.co.fresno.ca.us ♦ www.fcdph.org
Equal Employment Opportunity ♦ Affirmative Action ♦ Disabled Employer

Lauren Filice
April 5, 2016
A-16-005, R-16-006 & D-16-031
Page 2 of 2

- In the process of demolishing the existing structure, the contractor may encounter asbestos containing construction materials and materials coated with lead based paints.
- If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000 for more information.
- If the structure was constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition work the contractor should contact the following agencies for current regulations and requirements:
 - California Department of Public Health, Childhood Lead Poisoning Prevention Branch, at (510) 620-5600.
 - United States Environmental Protection Agency, Region 9, at (415) 947-8000.
 - State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) at (559) 454-5302.
- Any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state, and local requirements.

REVIEWED BY:

Kevin
Tsuda

Digitally signed by Kevin Tsuda
DN: cn=Kevin Tsuda, o=Fresno
County Department of Public Health,
ou=Environmental Health Division,
email=ktsuda@co.fresno.ca.us, c=US
Date: 2016.04.05 08:58:29 -0700

Kevin Tsuda, R.E.H.S.
Environmental Health Specialist II

(559) 600-3271

kt

cc: Glenn Allen- Environmental Health Division (CT 55.07)
Nick Yovino- Consultant (nickjr@californialc.com)

CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
PLAN AMENDMENT APPLICATION NO. A-16-005
and REZONE APPLICATION NO. R-16-006 and
DEVELOPMENT PERMIT APPLICATION NO. D-16-031

Return Completed Form to:

Lauren Filice, Development Services/Planning

Email: Lauren.Filice@fresno.gov and

Joann.Zuniga@fresno.gov

Development and Resource Management

2600 Fresno Street, Third Floor

Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 were filed by Nick Yovino Jr, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, and pertain to ±2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues. **Plan Amendment Application No. A-16-005** proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the Medium Low Density Residential planned land use designation to the Medium High Density Residential land use designation. **Rezone Application No. R-16-006** proposes to amend the Official Zone Map to reclassify the subject property from RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) to the RM-1/UGM (*Residential Multi-Family Medium High Density/Urban Growth Management*) zone district. **Development Permit Application No. D-16-031** proposes a gated 34-unit multiple family residential development.

APN: 403-021-03 ZONING: From RS-4/UGM To RM-1/UGM ADDRESS: 1161 E Shepherd Ave

DATE ROUTED: April 1, 2016

COMMENT DEADLINE: April 15, 2016

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.) **No COMMENTS.**

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

REQUIRED CONDITIONS OF APPROVAL:

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

REVIEWED BY:

A. Kim PS II

Name and Title

X-1345

Telephone Number

4-5-16

Date

**CITY OF FRESNO - DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
REQUEST FOR COMMENTS, CONDITIONS, ENVIRONMENTAL ASSESSMENT,
AND ENTITLEMENT APPLICATION REVIEW OF
PLAN AMENDMENT APPLICATION NO. A-16-005
and REZONE APPLICATION NO. R-16-006 and
DEVELOPMENT PERMIT APPLICATION NO. D-16-031**

Building & Safety Services

RECEIVED

APR 01 2016

City of Fresno
Building & Safety Services

Return Completed Form to:

Lauren Filice, Development Services/Planning

Email: Lauren.Filice@fresno.gov and

Joann.Zuniga@fresno.gov

Development and Resource Management

2600 Fresno Street, Third Floor

Fresno CA 93721-3604

PROJECT DESCRIPTION AND LOCATION:

Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 were filed by Nick Yovino Jr, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, and pertain to ±2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues. **Plan Amendment Application No. A-16-005** proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the Medium Low Density Residential planned land use designation to the Medium High Density Residential land use designation. **Rezone Application No. R-16-006** proposes to amend the Official Zone Map to reclassify the subject property from RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) to the RM-1/UGM (*Residential Multi-Family Medium High Density/Urban Growth Management*) zone district. **Development Permit Application No. D-16-031** proposes a gated 34-unit multiple family residential development.

APN: 403-021-03 ZONING: From RS-4/UGM To RM-1/UGM ADDRESS: 1161 E Shepherd Ave

DATE ROUTED: April 1, 2016

COMMENT DEADLINE: April 15, 2016

WILL THIS PROJECT AFFECT YOUR AGENCY/JURISDICTION? (If yes, specify.)

SUGGESTION(S) TO REDUCE IMPACTS/ADDRESS CONCERNS:

*21-5/pavts
f-28*

REQUIRED CONDITIONS OF APPROVAL:

IS ANY ADDITIONAL INFORMATION NEEDED FOR YOU TO COMPLETE YOUR REVIEW? (Be specific):

REVIEWED BY:

[Signature]
Name and Title

8156
Telephone Number

4-5-16
Date



Department of Public Utilities – Water Division



Providing Life's Essential Services

DATE: April 1, 2016

TO: KIRA NOGUERA, Planner III
Development Department/Current Planning

THROUGH: MICHAEL CARBAJAL, Division Manager
Department of Public Utilities, Water Division

FROM: ROBERT A. DIAZ, Senior Engineering Technician *R.A.D.*
Department of Public Utilities, Water Division

**SUBJECT: WATER REQUIREMENTS FOR DEVELOPMENT PERMIT D-16-031,
REZONE R-16-006 AND PLAN AMENDMENT A-16-005**

General

Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 were filed by Nick Yovino Jr, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, and pertain to ±2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues, 1161 E. Shepherd Avenue & APN: 403-021-03. Plan Amendment Application No. A 16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the Medium Low Density Residential planned land use designation to the Medium High Density Residential land use designation. Rezone Application No. R-16-006 proposes to amend the Official Zone Map to reclassify the subject property from RS-4/UGM (Residential Single Family, Medium Low Density/Urban Growth Management) to the RM-1/UGM (Residential Multi-Family Medium High Density/Urban Growth Management) zone district. Development Permit Application No. D-16-031 proposes a gated 34-unit multiple family residential development.

Water Service

The nearest water main to provide service to the proposed project is an 8-inch main located in West Canadian Avenue. Water facilities are available to provide water service to the site subject to the following requirements:

- 1) Water service(s) and meter box(es) shall be required.
- 2) On-site water facilities shall remain private.



A Nationally Accredited Public Utility Agency

- 3) Destruct any existing on-site well in compliance with the State of California Well Standards, Bulletin 74-81 and 74-90 or current revisions issued by California Department of Water Resources and City of Fresno standards.
- 4) The developer shall provide a detailed water usage analysis identifying water fixture, landscape, and laundry efficiencies to document water conservation design characteristics, subject to approval by the Director of Public Utilities.

Exhibit "H"
Environmental Assessment No.
A-16-005/R-16-006/D-16-031

CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION

EA No. A-16-005/R-16-006/D-16-031

Environmental Assessment No. A-16-005, R-16-006, D-16-031 for the Drew Court Multi-Family Residential Project

APPLICANT:

Nick Yovino, Jr.
California Land Consulting
1879 South Homsy Avenue
Fresno, CA 93727

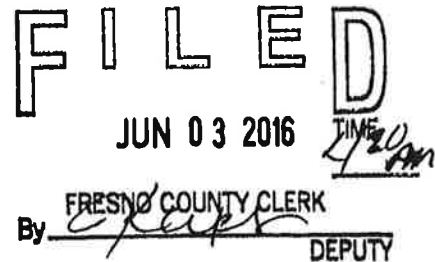
PROJECT LOCATION:

1161 East Shepherd Avenue, Fresno, California 93720, in the City and County of Fresno, California (2.27 acres)

36°51'55.7928"N N Latitude, - 119°45'45.828" W Longitude
Mount Diablo Base * Meridian, Township 12 S, Range 20 E, Section 26

Assessor's Parcel Number(s): 403-021-03

Filed with: E201610000185



FRESNO COUNTY CLERK
2221 Kern Street, Fresno, CA 93721

PROJECT DESCRIPTION:

Nick Yovino, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, filed Plan amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 which pertain to \pm 2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues in the City of Fresno.

Plan Amendment Application No. A-16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the *Medium Low Density Residential* planned land use to the *Medium High Density Residential* land use designation.

Rezone Application No. R-16-006 proposes to re-zone the subject property from the RS-4/UGM (*Residential Single Family, Medium low Density/Urban Growth Management*) zone district to the RM-1/UGM (*Residential Multiple Family, Medium High Density/Urban Growth Management*) zone district.

Development Permit Application No. D-16-031 proposes a gated, 34-unit multiple family residential development in three buildings with enhanced architectural features, including concrete roof tiles, stucco and stone veneers, decorative railings and window treatments, and courtyards central to each building. Landscaping for the project is dense along property lines to promote privacy and within the project to compliment architectural features. A colored concrete entry drive, landscaping, and wrought iron fencing are proposed along East Shepherd Avenue.

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan. Therefore, the Development and Resource Management Department proposes to adopt a Mitigated Negative Declaration for this project.

With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project, including the MEIR proposed environmental finding of a mitigated negative declaration and the initial study may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, Room 3043, California 93721-3604. Please contact Lauren Filice at (559) 621-8070 for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on **June 27, 2016**. Please direct comments to Lauren Filice, Planner III, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to Lauren.Filice@fresno.gov; or comments can be sent by facsimile to (559) 498-1026.

INITIAL STUDY PREPARED BY:
Lauren Filice, Planner III

DATE: June 3, 2016

SUBMITTED BY:



McKencie Contreras, Planning Supervisor
CITY OF FRESNO DEVELOPMENT AND
RESOURCE MANAGEMENT
DEPARTMENT

CAO033010

E201610000185

<p align="center">CITY OF FRESNO</p> <p align="center">MITIGATED NEGATIVE DECLARATION</p>		<p>Notice of Intent was filed with:</p> <p>FRESNO COUNTY CLERK • 2221 Kern Street Fresno, California 93721</p> <p align="center">on</p> <p align="center">June 3, 2016</p>
<p>The full Initial Study and the Master Environmental Impact Report SCH No. 2012111015 are on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor 2600 Fresno Street Fresno, California 93721 (559) 621-8277</p>	<p>ENVIRONMENTAL ASSESSMENT NUMBER:</p> <p><u>A-16-005/R-16-006/D-16-031</u></p>	
<p>APPLICANT:</p> <p>Nick Yovino, Jr. California Land Consulting 1879 South Homsy Avenue Fresno, CA 93727</p>	<p>PROJECT LOCATION:</p> <p>1161 East Shepherd Avenue, Fresno, California 93720, in the City and County of Fresno, California (2.27 acres) 36°51'55.7928"N N Latitude, - 119°45'45.828" W Longitude Assessor's Parcel Number(s): 403-021-03</p>	
<p>PROJECT DESCRIPTION:</p> <p>Nick Yovino, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, filed Plan amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 which pertain to ± 2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues in the City of Fresno.</p> <p>Plan Amendment Application No. A-16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the <i>Medium Low Density Residential</i> planned land use to the <i>Medium High Density Residential</i> land use designation.</p> <p>Rezone Application No. R-16-006 proposes to re-zone the subject property from the RS-4/UGM (<i>Residential Single Family, Medium low Density/Urban Growth Management</i>) zone district to the RM-1/UGM (<i>Residential Multiple Family, Medium High Density/Urban Growth Management</i>) zone district.</p> <p>Development Permit Application No. D-16-031 proposes a gated, 34-unit multiple family residential development in three buildings with enhanced architectural features, including concrete roof tiles, stucco and stone veneers, decorative railings and window treatments, and courtyards central to each building. Landscaping for the project is dense along property lines to promote privacy and within the project to compliment architectural features. A colored concrete entry drive, landscaping, and wrought iron fencing are proposed along East Shepherd Avenue.</p>		
<p>The City of Fresno has conducted an initial study and proposes to adopt a Mitigated Negative Declaration for the above-described project. The environmental analysis contained in the Initial Study and this Mitigated Negative Declaration is tiered from Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan. A copy of the MEIR may be reviewed in the City of Fresno Development and Resource Management Department as noted above. The proposed project has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report SCH No. 2012111015 (MEIR) prepared for the Fresno General Plan. Pursuant to Public Resources Code § 21157.1 and California Environmental Quality Act (CEQA) Guidelines § 15177, this project has been evaluated with respect</p>		

to each item on the attached environmental checklist to determine whether this project may cause any additional significant effect on the environment which was not previously examined in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

This completed environmental impact checklist form, its associated narrative, and proposed mitigation measures reflect applicable comments of responsible and trustee agencies and research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, initial study narrative, and any attachments thereto, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the California Environmental Quality Act.

All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself, and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measures.

Based upon the evaluation guided by the environmental checklist form, it was determined that there are foreseeable impacts from the Project that are additional to those identified in the MEIR, and/or impacts which require mitigation measures not included in the MEIR Mitigation Measure Checklist. The completed environmental checklist form indicates whether an impact is potentially significant, less than significant with mitigation, or less than significant. For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project, or may be related to the design and characteristics of the individual project. Effects so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the extent feasible. With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. Both the MEIR mitigation checklist measures and the project-specific mitigation checklist measures will be imposed on this project.

The initial study has concluded that the proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines.

The finding is, therefore, made that the proposed project will not have a significant adverse effect on the environment.

PREPARED BY: Lauren Filice, Planner III	SUBMITTED BY:  McKencie Contreras, Supervising Planner
--	---

**MODIFIED APPENDIX G TO ANALYZE
SUBSEQUENT PROJECT IDENTIFIED IN MEIR SCH No. 2012111015**

**Environmental Checklist Form For
EA No. A-16-005/R-16-006/D-16-031
June 3, 2016**

1. Project title:

Plan Amendment Application No. A-16-005

Rezone Application No. R-16-006

Development Permit No. D-16-031

2. Lead agency name and address:

City of Fresno

Development and Resource Management Department

2600 Fresno Street, Room 3043

Fresno, CA 93721

3. Contact person and phone number:

Lauren Filice, Planner III

City of Fresno

Development and Resource Management Department

(559) 621-8070

4. Project location:

1161 East Shepherd Avenue

Located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues, in Fresno CA.

Site Latitude: 36°51'55.7928"N

Site Longitude: - 119°45'45.828" W

Mount Diablo Base * Meridian, Township 12 S, Range 20 E, Section 26

APN: 403-021-03

5. Project sponsor's name and address:

Nick Yovino, Jr.

California Land Consulting

1879 South Homsy Avenue

Fresno, CA 93727

General plan designation:

6.

Existing: Medium Low Density Residential

Proposed: Medium High Density Residential

7.

Zoning:

Existing: RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*)

Proposed: RM-1/UGM (*Residential Multiple-Family, Medium High Density/Urban Growth Management*)

8.

Description of project:

Nick Yovino, of California Land Consulting, on behalf of Marcil Awad of Drew Court LLC, filed Plan amendment Application No. A-16-005, Rezone Application No. R-16-006, and Development Permit Application No. D-16-031 which pertain to ± 2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues in the City of Fresno.

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Surrounding land uses and setting:

9.

	Planned Land Use	Existing Zoning	Existing Land Use
North	Residential, Medium Low Density	RS-4/UGM <i>Residential Single-Family, Medium-Low Density/Urban Growth Management</i>	Single Family Residential
South	Residential, Medium Low Density	RS-4/UGM <i>Residential Single-Family, Medium-Low Density/Urban Growth Management</i>	Single Family Residential
East	Public Facilities-Church	PI/UGM <i>Public and Institutional/Urban Growth Management</i>	First Millbrook Baptist Church
West	Residential, Medium Density	RS-5/UGM <i>Residential Single-Family, Medium Density/Urban Growth Management</i>	Single Family Residential

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

City of Fresno (COF) Department of Public Works; COF Department of Public Utilities; COF Building and Safety Services Division; COF Fire Department; Fresno Metropolitan Flood Control District; County of Fresno Department of Public Health; San Joaquin Valley Air Pollution Control District; and, Local Agency Formation Commission (LAFCo).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this Master Environmental Impact Report (MEIR) initial study is to analyze whether the subsequent project was described in the MEIR No. SCH 2012111015 and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in MEIR SCH No. 2012111015 adopted for the General Plan.

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<hr/> Aesthetics	<hr/> Agriculture and Forestry Resources	<hr/> Air Quality
<hr/> Biological Resources	<hr/> Cultural Resources	<hr/> Geology /Soils
<hr/> Greenhouse Gas Emissions	<hr/> Hazards & Hazardous Materials	<hr/> Hydrology/Water Quality
<hr/> Land Use/Planning	<hr/> Mineral Resources	<hr/> Noise
<hr/> Population/Housing	<hr/> Public Services	<hr/> Recreation
<hr/> Transportation/Traffic	<hr/> Utilities/Service Systems	<hr/> Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

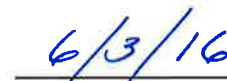
I find that the proposed project is a subsequent project identified in the MEIR No. SCH 2012111015 (MEIR) and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR such that no new additional mitigation measures or alternatives may be required. All applicable mitigation measures contained in the Mitigation Monitoring Checklist shall be imposed upon the proposed project. A FINDING OF CONFORMITY will be prepared.



I find that the proposed project is a subsequent project identified in the MEIR but that it is not fully within the scope of the MEIR because the proposed project could have a significant effect on the environment that was not examined in the MEIR. However, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).


Lauren Filice, Planner III


June 3, 2016

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN
THE MEIR No. SCH 2012111015:

1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:
 - a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR.
 - b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the MEIR, but that impact is less than significant;
 - c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR, however, with the mitigation incorporated into the project, the impact is less than significant.
 - d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR.
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
5. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR.

6. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
7. Earlier analyses may be used where, pursuant to the tiering, program EIR or MEIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
8. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
10. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
11. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

There are no scenic vistas, scenic resources, historic buildings or state scenic highways in the project vicinity. The immediate area is substantially developed with residential and quasi-public uses; therefore, no public or scenic vista will be obstructed by the development and no valuable vegetation will be removed. The project will not damage any scenic resources nor will it degrade the visual character or quality of the site and its surroundings.

The proposed project incorporates enhanced architectural features, including concrete roof tiles, stucco and stone veneers, decorative railings and window treatments, and courtyards central to each building. To ensure privacy, dense landscaping along property lines is proposed while a colored concrete entry drive, landscaping and wrought iron fencing along East Shepherd Avenue provide enhancements. Staff will also ensure that lights are located in areas that will minimize light sources to the neighboring properties.

Future development of the site will create a new source of substantial light or glare within the area. However, given that the majority of the project site is already surrounded by existing urban, residential and commercial development which already affects day and night time views in the project area, no significant impact will occur. Furthermore, through the entitlement process, staff will ensure that lights are located in areas that will minimize light sources to the neighboring properties in accordance with mitigation measures of the MEIR. As a result, the project will have no impact on aesthetics.

In conclusion, the project will not result in any aesthetic impacts beyond those analyzed in MEIR SCH No. 2012111015 prepared for the Fresno General Plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. -- Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

The subject site is designated as “Urban and Built-Up Land” by the 2014 Rural Mapping Edition: Fresno County Important Farmland Map, and thus has no farmland considered to be prime farmland, farmland of statewide importance, or unique farmland. The 2014 Rural Mapping Edition: Fresno County Important Farmland Map defines “Urban and Built-Up Land” as “occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel.”

The subject site is currently developed with a single-family residence. The proposed development of the subject site is not converting Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. In addition, according to aerial photos that go as far back as 1997, the site has not been under cultivation since before that time. The land surrounding the site is developed and designated as “Urban and Built-Up Land” to the north, south, east and west according to the above mentioned map.

The subject site is not under a Williamson Act contract and is not surrounded by sites under a Williamson Act contract. The proposed applications do not conflict with any forest land or Timberland Production or result in any loss of forest land. The proposed project does not include any changes which will affect the existing environment and result in the conversion of Farmland to non-agricultural uses as discussed in previous sections.

Therefore, no environmental impacts related to agriculture are anticipated as a result of the proposed project.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY AND GLOBAL CLIMATE CHANGE - (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) - Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan (e.g., by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts adopted thresholds for these pollutants)?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

Setting

The subject site is located in the City of Fresno and within the San Joaquin Valley Air Basin (SJVAB). This region has had chronic non-attainment of federal and state clean air standards for ozone/oxidants and particulate matter due to a combination of topography and climate. The San Joaquin Valley (Valley) is hemmed in on three sides by mountain ranges, with prevailing winds carrying pollutants and pollutant precursors from urbanized areas to the north (and in turn contributing pollutants and precursors to downwind air basins). The Mediterranean climate of this region, with a high number of sunny days and little or no measurable precipitation for several months of the year, fosters photochemical reactions in the atmosphere, creating ozone and particulate matter.

Regional factors affect the accumulation and dispersion of air pollutants within the SJVAB:

Air pollutant emissions overall are fairly constant throughout the year, yet the concentrations of pollutants in the air vary from day to day and even hour to hour. This variability is due to complex interactions of weather, climate, and topography. These factors affect the ability of the atmosphere to disperse pollutants. Conditions that move and mix the atmosphere help disperse pollutants, while conditions that cause the atmosphere to stagnate allow pollutants to concentrate. Local climatological effects, including topography, wind speed and direction, temperature, inversion layers, precipitation, and fog can exacerbate the air quality problem in the SJVAB.

The SJVAB is approximately 250 miles long and averages 35 miles wide, and is the second largest air basin in the state. The SJVAB is defined by the Sierra Nevada in the east (8,000 to 14,000 feet in elevation), the Coast Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 8,000 feet in elevation). The Valley is basically flat with a slight downward gradient to the northwest. The Valley opens to the sea at the Carquinez Straits where the San Joaquin-Sacramento Delta empties into San Francisco Bay. The Valley, thus, could be considered a “bowl” open only to the north.

During the summer, wind speed and direction data indicate that summer wind usually originates at the north end of the Valley and flows in a south-southeasterly direction through the Valley, through Tehachapi pass, into the Southeast Desert Air Basin. In addition, the Altamont Pass also serves as a funnel for pollutant transport from the San Francisco Bay Area Air Basin into the region.

During the winter, wind speed and direction data indicate that wind occasionally originates from the south end of the Valley and flows in a north-northwesterly direction. Also during the winter months, the Valley generally experiences light, variable winds (less than 10 mph). Low wind speeds, combined with low inversion layers in the winter, create a climate conducive to high carbon monoxide (CO) and particulate matter (PM10 and PM2.5) concentrations. The SJVAB has an “Inland Mediterranean” climate averaging over 260 sunny days per year. The Valley floor is characterized by warm, dry summers and cooler winters. For the entire Valley, high daily temperature readings in summer average 95°F. Temperatures below freezing are unusual. Average high temperatures in the winter are in the 50s, but highs in the 30s and 40s can occur on days with persistent fog and low cloudiness. The average daily low temperature is 45°F.

The vertical dispersion of air pollutants in the Valley is limited by the presence of persistent temperature inversions. Solar energy heats up the Earth’s surface, which in turn radiates heat and warms the lower atmosphere. Therefore, as altitude increases, the air temperature usually decreases due to increasing distance from the source of heat. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. Inversions can exist at the surface or at any height above the ground, and tend to act as a lid on the Valley, holding in the pollutants that are generated here.

Regulations

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local regional jurisdictional entity charged with attainment planning, rule making, rule enforcement, and monitoring under Federal and State Clean Air Acts and Clean Air Act Amendments.

The Master Environmental Impact Report (MEIR) prepared for the Fresno General Plan requires that the most current version of the URBEMIS computer model be used to analyze development projects and estimate future air pollutant emissions that can be expected to be generated from operational emissions (vehicular traffic associated with

the project), area-wide emissions (sources such as ongoing maintenance activities and use of appliances), and construction activities.

CalEEMod is a statewide land use emissions computer model, which has replaced the URBEMIS computer model, is designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct emissions from construction and operations (including vehicle and off-road equipment use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The mobile source emission factors used in the model (EMFAC2011) includes the Pavley standards and Low Carbon Fuel standards. Further, the model identifies mitigation measures to reduce criteria pollutant and GHG emissions along with calculating the benefits achieved from measures chosen by the user. The GHG mitigation measures were developed and adopted by the California Air Pollution Control Officers Association (CAPCOA).

In addition to the above-mentioned factors, the CalEEMod computer model evaluates the following emissions: ozone precursors (Reactive Organic Gases (ROG)) and NOX; CO, SOX, both regulated categories of particulate matter, and the greenhouse gas carbon dioxide (CO₂). The model incorporates geographically-customized data on local vehicles, weather, and SJVAPCD Rules.

An Air Impact Assessment (AIA) was not conducted for the project since the SJVAPCD had no comment on the proposed development in the e-mail dated April 8, 2016. The project is a small project in comparison with the typical subdivisions proposed in the Fresno/Clovis area, and is within a planning area that the City of Fresno has developed with residential and related uses over many years.

However, a Traffic Generation Analysis dated May 2, 2016, was completed by JLB Engineering, Inc. for the proposal to construct 34 single-family residential apartments. The Analysis found that the project would result in fewer than 226 vehicle trips per day, which compared to the General Plan estimate of 124 trips per day, with 17 a.m. and 21 p.m. peak hour trips, which does not exceed the 100 vehicle trips during any peak hour. The Public Works Department, Traffic and Engineering Division agree with this Analysis and consider the change in traffic to be negligible. In accordance with the San Joaquin Valley Air Control District's Small Project Analysis Level Guidance, projects that are below these levels are also deemed to have a less than significant impact on air quality and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes.

SJVAPCD Regulation VIII addresses not only construction and demolition dust control measures, but also regulates ongoing maintenance of open ground areas that may create entrained dust from high winds. The applicant is required to provide landscaping on the project site which will contain trees to assist in the absorption of air pollutants, reduce ozone levels, and curtail storm water runoff.

Mitigation measures were proposed to reduce fugitive dust emissions. Mitigation measures employed include the following:

- Soil Disturbance: Water exposed surfaces – 3x daily
- Unpaved Roads: Reduce speed on unpaved roads <15 mph
- Use of Tier 2 construction equipment

Since the SJVAPCD had no comments on the proposed project, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG, and 15 tons/year PM10, and that project specific criteria pollutant emissions would have no significant adverse impact on air quality.

The SJVAPCD has developed the San Joaquin Valley 1991 California Clean Air Act Air Quality Attainment Plan (AQAP), which continues to project nonattainment for the above-noted pollutants in the future. This project will be subject to applicable SJVAPCD rules, regulations, and strategies. In addition, the project may be subject to the SJVAPCD Regulation VIII, Fugitive Dust Rules, related to the control of dust and fine particulate matter. This rule mandates the implementation of dust control measures to reduce the potential for dust to the lowest possible level. The plan includes a number of strategies to improve air quality including a transportation control strategy and a vehicle inspection program.

Furthermore, the project's emissions as a percentage of the area source, energy use, and vehicle emissions within Fresno County are very small. The project's overall contribution to the overall emissions budget for the source categories is therefore negligible.

The operational and design features of the proposed development further support the conclusion that no significant air quality impact will occur as a result of the proposed project. Those factors are as follows:

1. Typically, the largest contributor to air quality from a residential development generated from fossil fueled automobiles. Travel times to work and shopping are typical of the Fresno - Clovis urban area. According to the Traffic Generation Analysis prepared for the project, the project will not cause roadways serving the proposed development to operate at unacceptable Levels of Service.
2. The proposed dwellings will exceed California Title 24 energy requirements.
3. The project will incorporate other measures, such as building orientation, sidewalks and trails that have proven to be effective in reducing the reliance on automobiles and related fossil fuel consumption.
4. The project will comply with all SJVAPCD standards.

5. The applicant has not been required to pay the Indirect Source Review (ISR) fees to the District, which is used to, among other things, reduce air quality impacts within the district.

Traffic at the site is at LOS D or better. According to Caltrans guidance, CO “hot spots” would only be a potential issue if intersections operate at LOS E or F. With increasingly stringent CO emission standards, and with implementation of traffic mitigation measures, CO “hot spots” would not be anticipated due to project-related traffic, and no impacts would result.

The proposed project on the subject site will not expose sensitive receptors to substantial pollutant concentrations. Due to the close proximity of other residential uses surrounding the subject site, there will be no impact in the increase of pollutants. The proposed project is not proposing a use which will create objectionable odors.

Therefore, there is no air quality or global climate change impacts perceived to occur as a result of the proposed project. Both short and long term impacts associated with construction and operation are below the District’s significance thresholds.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

The project site is located in an urban built-up area in the City of Fresno surrounded by urban development with access from an arterial street. The proposed project would not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them. There is no riparian habitat or any other sensitive natural community identified in the vicinity of the proposed project by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. No federally protected wetlands are located on the subject site. Therefore, there would be no impacts to species, riparian habitat or other sensitive communities and wetlands. There are also no bodies of water on the subject site or in the immediate vicinity of the subject site. The proposed project would have no impact on the movement of migratory fish or wildlife species or on established wildlife corridors or wildlife nursery sites. No local policies regarding biological resources are applicable to the subject site and there would be no impacts with regard to those plans.

No habitat conservation plans or natural community conservation plans in the region pertain to natural resources, which exist on the subject site or in its immediate vicinity.

Therefore, no actions or activities resulting from the implementation of the proposed project would have the potential to affect floral, or faunal species; or, their habitat. Therefore, there would be no impacts.

In conclusion, the project is fully within the scope of the Fresno General Plan and will not result in any biological resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

There are no structures which exist on or within the immediate vicinity of the site that are listed on, or considered to be eligible to the National or Local Register of Historic Places, and the subject site is not within either a designated or proposed historic district.

There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the subject site. Past record searches for the region have not revealed the likelihood of cultural resources on the subject site or in its immediate vicinity. Therefore, it is not expected that the proposed project may impact cultural resources. It should be noted however, that lack of surface evidence of historical resources does not preclude the subsurface existence of archaeological resources.

However, due to the ground disturbing activities that will occur as a result of the project, the measures within the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan, Mitigation Monitoring Checklist to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that should archaeological and/or animal fossil material be encountered during project excavations, then work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to ensure that the activities of the proposed project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources.

In conclusion, with MEIR mitigation measures incorporated, the project will not result in any cultural resource impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

There are no known geologic hazards or unstable soil conditions known to exist on the site. The existing topography is flat with no apparent unique or significant land forms such as vernal pools. Development of the property requires compliance with grading and drainage standards of the City of Fresno and Fresno Metropolitan Flood Control District Standards. Grade differentials at property lines must be limited to one foot or less, or a cross-drainage covenant must be executed with affected adjoining property owners.

Fresno has no known active earthquake faults, and is not in any Alquist-Priolo Special Studies Zones. The immediate Fresno area has extremely low seismic activity levels, although shaking may be felt from earthquakes whose epicenters lie to the east, west, and south. Known major faults are over 50 miles distant and include the San Andreas Fault, Coalinga area blind thrust fault(s), and the Long Valley, Owens Valley, and White Wolf/Tehachapi fault systems. The most serious threat to Fresno from a major earthquake in the Eastern Sierra would be flooding that could be caused by damage to dams on the upper reaches of the San Joaquin River.

Fresno is classified by the State as being in a moderate seismic risk zone, Category "C" or "D," depending on the soils underlying the specific location being categorized and that location's proximity to the nearest known fault lines. All new structures are required to conform to current seismic protection standards in the California Building Code. Seismic upgrade/retrofit requirements are imposed on older structures by the City's Development and Resource Management Department as may be applicable to building

modification and rehabilitation projects.

The project must comply with all applicable building and development codes. State and local regulations require preparation of a site specific soils study by a qualified, licensed engineering professional. Said soils study must be approved by the City Engineer and others to assure compliance with mandatory soils, geologic and related grading requirements. The City of Fresno mandatory requirements and related ministerial permits have proven to be effective in addressing potential impacts to geology and soils.

No adverse environmental effects related to topography, soils or geology are expected as a result of this project.

Therefore, the proposed project would not result in any geology or soil environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Background

Gases that trap heat in the atmosphere are referred to as GHGs. The effect is analogous to the way a greenhouse retains heat. Common GHGs include water vapor, CO₂, CH₄, NO_x, chlorofluorocarbons, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, ozone, and aerosols. Natural processes and human activities emit GHGs. The presence of GHGs in the atmosphere affects the earth's temperature. It is believed that emissions from human activities, such as electricity production and vehicle use, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

Climate change is a change in the average weather of the earth that is measured by alterations in wind patterns, storms, precipitation, and temperature. These changes are assessed using historical records of temperature changes occurring in the past, such as

during previous ice ages. More recent climate change is assessed through measurements of temperatures at the surface and throughout the atmosphere, and from the sea which absorbs and stores heat from the atmosphere.

An individual project cannot generate enough GHG emissions to effect a discernible change in global climate. However, the project participates in the potential for global climate change by its incremental contribution of GHGs combined with the cumulative increase of all other sources of GHGs, which when taken together constitute potential influences on global climate change.

GHGs do not generally produce direct health impacts like criteria air pollutants, but GHGs and associated climate change could affect the health of populations not only in the U.S., but also around the world. Potential impacts related to climate change include sea level rise that displaces populations, causes economic and infrastructure damage, disrupts agriculture, increases heat related illnesses, exacerbates the effects of criteria pollutants, spreads infectious diseases through proliferation of mosquitoes and other vectors carrying tropical diseases into temperate climate zones, and alters/endangers natural flora and fauna in terrestrial and aquatic environments. Of specific concern for the San Joaquin Valley is the potential for loss of snow pack in the Sierra Nevada and its effect on the region's water supply.

Regulations

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation such as the landmark AB 32 California Global Warming Solutions Act of 2006 was specifically enacted to address GHG emissions. AB 32 includes a goal of reducing California's GHG emissions to 1990 levels by 2020. Other regulations such as those related to energy conservation were originally adopted specifically for that purpose but also reduce GHG emissions. The California Air Resources Board (ARB) is responsible for preparing the State's plan referred to as the Climate Change Scoping Plan (Scoping Plan) for achieving the AB 32 target and for making continued progress in reducing GHG emissions after 2020. After the adoption of the Scoping Plan, State agencies responsible for regulating sources of GHG emissions embarked on an ambitious program to develop the regulations needed to achieve the AB 32 mandate as laid out in the Scoping Plan. In the 2014 First Update to the Scoping Plan, ARB indicated that the State is on track to achieve the 2020 target and is well positioned to provide reductions needed for future targets. For a full description of the federal, state, and regional regulatory program to reduce GHG emissions see the MEIR Greenhouse Gas Reduction Chapter and the Air Quality and Greenhouse Gas Analysis Report prepared for this project.

The land use objectives and policies of the General Plan are designed to decrease the generation of air pollution and greenhouse gases, encouraging higher density and transit corridor development, development an SCS, and development of a Climate Action Plan (CAP) that will allow the City to determine that a project's incremental

contribution to a cumulative effect is not cumulatively considerable if the project complies with a previously adopted CAP or mitigation program.

GHG Reduction Measures

Greenhouse Gas Reduction Plans. In determining whether the project conflicts with any applicable plan, policy, or regulation, the California Resources Agency has stated that in order to be used for the purpose of determining significance, a plan must contain specific requirements that result in reductions of greenhouse gas emissions to a less than significant level. The General Plan Update with its GHG Plan is the applicable plan that meets this requirement. The plan demonstrates that even though there is increased growth, the City would reduce GHG emissions through 2020 and per capita emissions would decline substantially.

General Plan Implementing Policy RC-4-b requires that conditions of approval for development proposals incorporate air quality maintenance requirements, compatible with Air Quality Maintenance Plans as conditions of approval. Implementing Policy RC-4-f requires municipal operations and fleet actions to control and reduce air pollution emissions from vehicles, operations and facilities owned by the City by undertaking efforts to reduce GHG emissions. These efforts include:

- expanding use of alternative fuel, electric, and hybrid vehicles in City fleets;
- creating preventive maintenance schedules to ensure efficient engine operation;
- include air conditioning recycle and charge stations in City vehicle maintenance facilities to reduce Freon gas release into the atmosphere;
- use satellite corporation yards for decentralized storage and vehicle maintenance;
- conversion of city-owned emergency backup generators to natural gas fuels.

Section 6 of the City's Greenhouse Gas Reduction Plan describes the actions that individual development projects are required to implement in order to qualify for CEQA streamlining and to demonstrate that the project would not result in significant greenhouse gas impacts. Projects requiring discretionary approval must comply with CEQA provisions related to greenhouse gas emissions. Discretionary projects are reviewed for consistency with the GHG Reduction Plan and are then considered CEQA-compliant for greenhouse gas impacts.

Compliance with General Plan policies related to urban design, infill development, higher densities in select areas of the City, complete neighborhoods, and water conservation is expected to result in less than significant to GHG emissions through the year 2020 which includes the projected build-out of the proposed project. The project is consistent with the applicable General Plan policies with respect to GHG emissions and is considered less than significant for this criterion.

Project

The proposed project has been determined to have a less than significant impact on GHGs based on the criteria for approval of new discretionary development, approval

process to determine consistency with the GHG Reduction Plan, and General Plan policies requiring:

- construction of sidewalks to promote walkability;
- proximity to planned bicycle and pedestrian trails;
- location on an arterial street;
- drought tolerant landscaping; and
- City maintained facility and vehicle fleet compliance with GHG requirements.

The proposed project will be required to implement all relevant General Plan policies related to GHGs and applicable GHG Reduction Plan requirements. These policies will help to reduce this project's potential GHG impact. The project is required to comply with the required General Plan implementation measures related to GHG emissions. The proposed project will be required to maintain sidewalks along all street frontages, provide drought tolerant landscaping and comply with City facility and fleet GHG requirements.

Further, continued Citywide participation and contribution to implementation of the Greenhouse Gas Emission related mitigation measures as identified in the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan will mitigate potential cumulative increases in GHG emission sources from incremental contributions from the proposed project and anticipated build-out of the Fresno General Plan.

Therefore, based upon the available information, the proposed project will not have a potentially significant adverse impact on GHGs.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIAL -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Pursuant to Policy 1-6-a of the Fresno General Plan, hazardous materials will be defined as those that, because of their quantity, concentration, physical or chemical characteristics, pose significant potential hazards to human health, safety, or the

environment. Specific federal, state and local definitions and listings of hazardous materials will be used by the City of Fresno.

There are no known existing hazardous material conditions on the site and the project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The project itself will not generate or use hazardous materials, is not near any wildland fire hazard zones, and poses no interference with the City's or County's Hazard Mitigation Plans or emergency response plans.

The subject site has not been cultivated since before 1997. No pesticides or hazardous materials are known to exist on the site and the proposed project will have no environmental impacts related to potential hazards or hazardous materials as identified above.

The project site is located within 1,000 feet of Clovis West High School to the south. There are no hazardous materials related to the proposed project. However, vehicle emissions from construction activities and daily trips from residential uses could impact the school. Vehicle trips are within anticipated levels and should have no impact to the nearby school.

Therefore, the project will not result in any hazards and hazardous material impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Background

Fresno is one of the largest cities in the United States still relying primarily on groundwater for its public water supply. Surface water treatment and distribution has been implemented in the northeastern part of the City, but the city is still subject to an EPA Sole Source Aquifer designation. While the aquifer underlying Fresno typically exceeds a depth of 300 feet and is capacious enough to provide adequate quantities of safe drinking water to the metropolitan area well into the twenty-first century, groundwater degradation, increasingly stringent water quality regulations, and a historic trend of high consumptive use of water on a per capita basis (some 250 gallons per day per capita), have resulted in a general decline in aquifer levels, increased cost to provide potable water, and localized water supply limitations.

This mitigated negative declaration prepared for the proposed project is tiered from Master Environmental Impact Report SCH No. 2012111015) prepared for the Fresno General Plan (collectively, the “MEIR”), which contains measures to mitigate projects’ individual and cumulative impacts to groundwater resources and to reverse the groundwater basin’s overdraft conditions.

Fresno has attempted to address these issues through metering and revisions to the City’s Urban Water Management Plan (UWMP). The Fresno Metropolitan Water Resource Management Plan, which has been adopted and the accompanying Final EIR (SCH #95022029) certified. The purpose of these management plans is to provide safe, adequate, and dependable water supplies in order to meet the future needs of the metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities. City water wells, pump stations, recharge facilities, water treatment and distribution systems have been expanded incrementally to mitigate increased water demands and respond to groundwater quality challenges.

The adverse groundwater conditions of limited supply and compromised quality have been well documented by planning, environmental impact report and technical studies over the past 20 years including MEIR No. SCH 2012111015 for the Fresno General Plan, and EIR No. SCH 95022029 for the Fresno Metropolitan Water Resource Management Plan, et al. These conditions include water quality degradation due to dibromochloropropane (DBCP), arsenic, iron, and manganese concentrations; low water well yields; limited aquifer storage capacity and recharge capacity; and, intensive urban or semi-urban development occurring up gradient from the Fresno Metropolitan Area.

In response to the need for a comprehensive long-range water supply and distribution strategy, the Fresno General Plan recognizes the Kings Basin’s Integrated Regional Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and cites the findings of the City of Fresno 2010 Urban Water Management Plan (UWMP). The purpose of these management plans is to provide safe, adequate, and dependable water supplies to meet the future needs of the Kings Basin regions and the Fresno-Clovis metropolitan

area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities.

The 2010 Urban Water Management Plan, Figure 4-3 (incorporated by reference) illustrates the City of Fresno's goals to achieve a 'water balance' between supply and demand while decreasing reliance upon and use of groundwater. To achieve these goals the City is implementing a host of strategies, including:

- Intentional groundwater recharge through reclamation at the City's groundwater recharge facility at Leaky Acres (located northwest of Fresno-Yosemite international Airport), refurbish existing streams and canals to increase percolation, and recharge at Fresno Metropolitan Flood Control District's (FMFCD) storm water basins;
- Increase use of existing surface water entitlements from the Kings River, United States Bureau of Reclamation and Fresno Irrigation District for treatment at the Northeast Storm Water Treatment Facility (NESWTF) and construct a new Southeast Storm Water Treatment Facility (SESWTF); and
- Recycle wastewater at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) for treatment and re-use for irrigation, and to percolation ponds for groundwater recharge. Further actions include the General Plan, Policy RC-6-d to prepare, adopt and implement a City of Fresno Recycled Water Master Plan.

The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. One of the primary objectives of Fresno's future water supply plans detailed in Fresno's current UWMP is to balance groundwater operations through a host of strategies. Through careful planning, Fresno has designed a comprehensive plan to accomplish this objective by increasing surface water supplies and surface water treatment facilities, intentional recharge, and conservation, thereby reducing groundwater pumping. The City continually monitors impacts of land use changes and development project proposals on water supply facilities by assigning fixed demand allocations to each parcel by land use as currently zoned or proposed to be rezoned. The UWMP was made available for public review together with the MND for the proposed project.

Until 2004, groundwater was the sole source of water for the City. In June 2004, a \$32 million Surface Water Treatment Facility ("SWTF") began providing Fresno with water treated to drinking water standards. A second surface water treatment facility is planned for 2015 in southeast Fresno to meet demands anticipated by the growth implicit in the 2025 Fresno General Plan. Surface water is used to replace lost groundwater through Fresno's artificial recharge program at the City-owned Leaky Acres and smaller facilities in Southeast Fresno. Fresno holds entitlements to surface water from Millerton Lake and Pine Flat Reservoir. In 2006, Fresno renewed its contract with the United States Bureau of Reclamation, through the year 2045, which

entitles the City to 60,000 acre-feet per year of Class 1 water. This water supply has further increased the reliability of Fresno's water supply.

Also, in 2006, Fresno updated its Metropolitan Water Resources Management Plan designed to ensure the Fresno metro area has a reliable water supply through 2050. The plan implements a conjunctive use program, combining groundwater, treated surface water, artificial recharge and an enhanced water conservation program.

In the near future, groundwater will continue to be an important part of the City's supply but will not be relied upon as heavily as has historically been the case. The 2010 UWMP projects that groundwater pumped by the City will decrease from approximately 128,578 AF/year in 2010 to approximately 85,000 AF/year at build-out of the General Plan Update. This would represent a decrease in the groundwater percentage of total water supply from 87 percent to 36 percent. This reduction in groundwater pumping will recharge the aquifer by approximately 15,000 acre-feet per year because the safe yield is approximately 1000,000 acre-feet per year. In order to meet this projection, the City is planning to rely on expanding their delivery and treatment of surface water supplies and groundwater recharge activities.

The City has been adding to and upgrading its water supplies through capital improvements, including adding pipelines to distribute treated surface water. Additionally, in 2009, the treatment capacity of the Fresno/Clovis Regional Wastewater Reclamation Facility was improved. The City has recently been providing tertiary treatment at some of its wastewater treatment plants to supply tertiary treated recycled water for landscape irrigation to new growth areas and the North Fresno Wastewater Reclamation Facilities Satellite Plant was recently built to serve the Copper River development and golf course in the northern part of Fresno.

In addition, Fresno General Plan policies require the City to maintain a comprehensive conservation program to help reduce per capita water usage, and includes conservation programs such as landscaping standards for drought tolerance, irrigation control devices, leak detection and retrofits, water audits, public education and implementing US Bureau of Reclamation Best Management Practices for water conservation to maintain surface water entitlements.

The City also has implemented an extensive water conservation program which is detailed in Fresno's current UWMP and additional conservation is anticipated as more of the City's residential customers become metered. The City has implemented a residential water meter program; installing and metering water service for all single-family residential customers in the City by 2013. At a point of approximately 80% completion, the installation already demonstrated an approximately 15% decrease in water usage. The City also intends to commence providing tiered rates to incentivize further reduction in water usage.

Fresno continues to periodically update its water management plans to ensure the cost-effective use of water resources and continued availability of groundwater and surface water supplies.

Project

The proposed project is located within the north Fresno area where Urban Growth Management (UGM) is in place. There is currently a water connection fee program to support the development of water supply, treatment, conveyance, and recharge facilities.

In accordance with the provisions of the Fresno General Plan and MEIR No. SCH 2012111015 mitigation measures, project specific water supply and distribution requirements must assure that an adequate source of water is available to serve the project.

The City of Fresno Department of Public Utilities, Water Division has reviewed the proposed project and has determined that water service will be available to the proposed project subject to water mains being extended within the proposed development to provide service to each residential unit.

According to the Fresno Metropolitan Flood Control District (FMFCD), the subject site is not located within a flood prone or hazard area and the existing drainage system was designed with capacity to serve the project with the existing residential medium low density land use. Therefore, mitigation has been provided that requires the developer to mitigate impacts of the increased runoff from the proposed medium high density residential type land use to a rate that would be expected if developed to medium low density residential. The developer will be required to provide improvements which will convey surface drainage to Master Plan inlets and which will provide a path for major storm conveyance. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance.

The mitigation measures of the MEIR are incorporated herein by reference and are required to be implemented by the attached mitigation monitoring checklist. In summary, these mitigation measures equate to City of Fresno policies and initiatives aimed toward ensuring that the City has a reliable, long-range source of water through the implementation of measures to promote water conservation through standards, incentives and capital investments.

Private development participates in the City's ability to meet water supply goals and initiatives through payment of fees established by the city for construction of recharge facilities, the construction of recharge facilities directly by the project, or participation in augmentation/enhancement/enlargement of the recharge capability of FMFCD storm water ponding basins. While the proposed project may be served by conventional groundwater pumping and distribution systems, full development of the Fresno General Plan boundaries may necessitate utilization of treated surface water due to inadequate groundwater aquifer recharge capabilities.

The Department of Public Utilities works with FMFCD to utilize suitable FMFCD ponding (drainage) basins for the groundwater recharge program, and works with Fresno Irrigation District to ensure that the City's allotment of surface water is put to the best

possible use for recharge.

As a condition of approval, any pre-existing on-site domestic or agricultural water wells that may be on the site shall be properly abandoned, in order to prevent the spread of contaminants from the ground surface or from shallow groundwater layers into deeper and cleaner levels of the aquifer.

As a condition of approval, any pre-existing septic systems shall be properly abandoned in accordance with all applicable State and County Health standards and regulations.

Occupancy of this site will generate wastewater containing human waste, which is required to be conveyed and treated by the Fresno-Clovis Regional Wastewater Treatment and Reclamation Facility. There will not be any onsite wastewater treatment system. The proposed project will be required to install sewer mains and branches, and to pay connection and sewer facility fees to provide for reimbursement of preceding investments in sewer trunks to connect this site to a publicly owned treatment works.

Implementation of the Fresno General Plan policies, the Kings Basin Integrated Regional Water Management Plan, City of Fresno Urban Water Management Plan, Fresno-Area Regional Groundwater Management Plan, and City of Fresno Metropolitan Water Resource Management Plan and the applicable mitigation measures of approved environmental review documents will address the issues of providing an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.

There are no aspects of this project that will result in impacts to water supply or quality beyond those analyzed in the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan. The site is not located within a flood prone or hazard area. With mitigation provided, the project will not alter existing drainage patterns of the site or area or substantially increase the rate or amount of runoff in a manner which would result in flooding, exceed planned storm water drainage systems, or provide substantial sources of polluted runoff. The subject property is proposed to be developed at intensity and scale permitted by the proposed planned land use and RM-1 zoning designation for the site. With system improvements discussed above, the proposed development project will not result in additional impacts on water supply from increased demand.

Mitigation Measures

1. The proposed project shall implement and incorporate the hydrology/land use/public service/utilities and service systems related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated June 3, 2016.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

The subject property is within the Fresno City limits and within an urbanized area of the City of Fresno that includes infrastructure necessary to serve the proposed development. Plan Amendment Application No. A-16-005 proposes to amend the Fresno General Plan and the Woodward Park Community Plan from the *Medium Low Density Residential* planned land use to the *Medium High Density Residential* land use designation. Rezone Application No. R-16-006 proposes to re-zone the subject property from the RS-4/UGM (*Residential Single Family, Medium low Density/Urban Growth Management*) zone district to the RM-1/UGM (*Residential Multiple Family, Medium High Density/Urban Growth Management*) zone district.

Although the project includes a proposed amendment to the Fresno General Plan and Woodward Park Community Plan, in order to change the planned land use designation of the subject site for the purposes of facilitating future development, the proposed project shall meet the goals, objectives and policies of the Fresno General Plan and Woodward Park Community Plan.

Fresno General Plan, Goal No. 7 encourages the City “to provide for a diversity of districts, neighborhoods, housing types, residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.”

The proposed multi-family project would provide diversity in housing types and residential densities in an area predominately developed with single-family residences,

with multi-family residential and commercially developed sites within one-third mile of the project site.

Goal No. 8 encourages the “*development of complete neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place that provide as many services as possible within walking distance.*”

Goal No. 10 of the Fresno General Plan emphasizes “*increased land use intensity and mixed-use development at densities supportive of greater transit in Fresno. Greater densities are recognized as being achievable through encouragement, infrastructure, and incentives for infill and revitalization along major corridors and in Activity Centers.*”

These Goals contribute to the establishment of a comprehensive city-wide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment in accordance with Objective LU-1 of the Fresno General Plan. Objective LU-2 of the General Plan calls for “*infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.*” Objective LU-5 of the General Plan calls for a “*diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities; and, Implementing Policy LU-5-d promotes medium-high density residential uses to optimize use of available or planned public facilities and services and to provide housing opportunities with convenient access to employment, shopping, services and transportation.*”

The proposed project introduces and integrates the characteristic elements and benefits of a compact self-sufficient community, which include community facilities, walkable access to commercial services, transit stops and open space amenities, thereby affording a unique opportunity for future residents to enjoy the convenient and healthy lifestyle of living within a Complete Neighborhood.

Woodward Park Community Plan goals are directed toward (1) The provision of a diversity of housing types, densities, and locations with respect to housing opportunities; (2) Providing for balanced growth and efficient use of resources and public facilities; and, (3) Providing maintenance of a safe, attractive, and stable community (Residential Uses – Goal 1-3). Policy 1-3.1 calls for medium-high density residential uses to be focused within the activity center and Herndon Avenue corridor in order to meet housing needs for convenient access to employment, services, and transportation facilities. However, Policy 1-3.2 allows that in order to provide a desirable range and distribution of housing opportunities, medium-high density residential uses may be considered appropriate for sites outside the activity center and Herndon Avenue corridor, subject to compliance with the following criteria:

a. The site shall either have direct access to a major street or to a local street of sufficient capacity that does not pass through single-family neighborhoods prior to

intersecting a major street and will not prevent the completion of a previously committed or needed local street circulations system.

The project site is located on the south side of East Shepherd Avenue, an arterial street aligned with Sugarpine Trail that provides access to commercial and office uses at the intersection with East Champlain Drive. No other street connections have been planned through the project site, thus the project will not gain access through a residential neighborhood but directly off East Shepherd Avenue. The project is designed to promote walkability via internal walkways that connect to new sidewalks on East Shepherd Avenue, directly across the street from Sugarpine Trail. Therefore, with access from the project site directly onto East Shepherd Avenue, traffic from the project will not disrupt adjacent neighborhoods.

b. The total number of potential multiple-family residential dwelling units utilizing the medium-high density residential designation within the Woodward Park Community Plan shall not exceed 35 percent of the total number of dwelling units planned for Woodward Park Community Plan area.

Objective UF-12 of the Fresno General Plan directs the City to locate roughly one-half of future residential development in infill areas, defined as being within the City on December 31, 2012. This project is considered infill development, given that the subject property was annexed to the City on December 20, 1979 through Annexation No. 886.

e. Assurance that public facilities and services will be provided to accommodate demand increases or characteristics (peak factors, disruptive traffic movements, fire suppression water demands, et al) in a manner that will maintain an acceptable level of service to the proposed use and surrounding community in accordance with adopted plans, policies, and development standards.

Public facilities and services are available to the site and will accommodate demand per comment letters provided by the Fresno Fire Department dated April 25 and May 12, 2016; Public Works Department, Traffic & Engineering dated April 15, 2016 and TIS comments dated May 10, 2016; Department of Public Utilities, Sewer dated April 20, 2016, Water dated April 1, 2016, and Solid Waste dated April 18, 2016.

Fresno Metropolitan Flood Control District comments dated April 4, 2016 requires the developer to mitigate impacts of the increased runoff from the proposed medium high density residential type land use to a rate that would be expected if developed to medium low density residential. With mitigation provided, the developer will be required to provide improvements which will convey surface drainage to Master Plan inlets and which will provide a path for major storm conveyance.

Code Summary

The Fresno General Plan acknowledges that the sound planning principles for creating Complete Neighborhoods anticipate and plan in advance all amenities needed in a neighborhood to ensure quality and lasting property values before the residential units are built instead of trying to piecemeal those amenities after the fact.

The location of the subject property adjacent to East Shepherd Avenue between North Millbrook Avenue and North Cedar Avenue/East Champlain Drive affords immediate access and proximity to an activity corridor with planned trail systems, transit stops, and a range of employment opportunities as well as both existing and planned neighborhood and community serving retail services on three corners of the major street intersection, as follows:

An approximately 11+ acre community commercial shopping center has been previously developed at the northeast corner with an additional 4+ acres zoned for office uses currently under development, while a 12+ acre community commercial shopping center has been developed at the southwest corner of the intersection of East Shepherd and North Cedar Avenues. Additional existing community commercial and office development is located at all four corners of the intersection of East Champlain Drive and East Perrin Avenue, within one-half mile of the project site. These existing and planned commercial locations and acreage provide more than ample existing and potential future commercial and office square-footage to serve the existing and planned community within the vicinity of the proposed project.

Multiple-family residential developments are located on the north side of East Shepherd Avenue within 500 feet of the project site which includes a 6+ acre development across from North Millbrook Avenue, and a 16+ acre development at the northwest corner of North Cedar Avenue. With the exception of the adjacent church site and the adjacent large lot single-family residence, all other parcels in the immediate vicinity are built with residential single-family uses on parcels ranging from one-quarter acre on parcels adjacent to the west, and one-third acre on parcels adjacent to the south property lines of the subject site. Surrounding parcels within a square mile of the project site range in size from one-fifth to one-fourth of an acre in an area that is fully developed.

Therefore, the proposed amendment to change the planned land use designation of the approximately ±2.37 acre subject property from Medium-Low Density Residential to Medium-High Density Residential planned land use designation will not impact availability of employment and/or commercial land uses to serve the area. The existing and planned residential locations and acreage provide ample existing areas of medium-low to medium density to serve the existing community within the vicinity of the proposed project.

The proposed project effectively increases density within an area which has been historically developed with residential tracts ranging from medium-low to medium densities. The location of the proposed project intensifies activity along a major street corridor between existing and planned commercial development and lower density residential and office uses, thereby providing a land use and product which will afford diversity while remaining compatible and complementary to adjacent development within the area.

The project, as proposed, promotes a diverse residential density that supports balanced urban growth, will provide infill development of a vacant parcel surrounded by urban

uses, and makes efficient use of resources and public facilities. The project design is attractive and consistent with building styles in the vicinity, incorporates densely treed landscaping along property lines, and internal access-ways are setback from adjacent single-family residential uses to promote privacy. As designed, the project will provide infill between the surrounding land uses of residential single-family medium density to the west, residential single-family medium-low density to the north and south, and the church use on a 2+ acre parcel to the east of the subject site.

Single-family medium-low density parcels are located on the north and south boundaries, and quasi-public open space, developed as a church, adjoins the east boundary of the subject site. The project site is a long narrow parcel, difficult to develop in conformance with normal single-family lot configurations, while allowing for emergency service access. The project site is surrounded by urban uses, meets the goals of this policy and provides a transition of density between the existing church and residential uses.

Therefore, it is staff's opinion that while the proposed project proposes an amendment to applicable land use plans, the project is consistent with respective general and community plan goals, objectives and policies. Furthermore, the proposed project does not propose a change which will result in loss of planned land uses essential to serve the public or planned urban form and will therefore not conflict with any applicable land use plan, policy or regulation of the City of Fresno. Furthermore, the proposed project, including the design and improvement of the subject property, is found; (1) To be consistent with the goals, objectives and policies of the applicable Fresno General Plan and Woodward Park Community Plan; (2) To be suitable for the type and density of development; (3) To be safe from potential cause or introduction of serious public health problems; and, (4) To not conflict with any public interests in the subject property or adjacent lands.

Implementation of the mitigation measures of the Fresno General Plan MEIR and compliance with Fresno Municipal Code requirements for development of the subject property in a manner which facilitates consistency with the goals, objectives and policies of the Fresno General Plan will assure that development on the subject property resultant from the proposed change in land use and zoning designation does not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

The project will not conflict with any conservation plans since it is not located within any conservation plan areas.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the hydrology and land use related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated June 3, 2016.

2. The proposed project shall implement and incorporate the hydrology/land use/public service/utilities and service systems related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated June 3, 2016.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

The subject site is not located in an area designated for mineral resource preservation or recovery, therefore, will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The subject site is not delineated on a local general plan, specific plan or other land use plan as a locally-important mineral resource recovery site; therefore it will not result in the loss of availability of a locally-important mineral resource.

In conclusion, the proposed project would not result in any mineral resource environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Noise Exposure

In developed areas of the community, noise conflicts often occur when a noise sensitive land use is located adjacent to a noise generator. Noise in these situations frequently stems from on-site operations, use of outdoor equipment, uses where large numbers of persons assemble, and vehicular traffic. Some land uses, such as residential dwellings, are considered noise sensitive receptors and involve land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise.

Generally, the three primary sources of substantial noise that affect the City of Fresno and its residents are transportation-related and consist of major streets and regional highways; airport operations at the Fresno Yosemite International, the Fresno-Chandler Downtown, and the Sierra Sky Park Airports; and railroad operations along the BNSF

Railway and the Union Pacific Railroad lines. The project site is not located within the vicinity of the any rail lines, the Fresno Yosemite Airport, or any other airport or private air strip.

Potential noise sources at the project site would occur primarily from roadway noise from East Shepherd Avenue along the frontage of the subject site and stationary noise sources from the adjacent site on the east, developed with a church use which could disrupt habitability of the project site. The City of Fresno Noise Element of the Fresno General Plan establishes a land use compatibility criterion of 60dB DNL for exterior noise levels in outdoor activity areas of new residential developments. Outdoor activity areas generally include open areas, private patios, etc. of multiple family residential developments. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation.

Furthermore, the Noise Element also requires that interior noise levels attributable to exterior noise sources not exceed 45 dB DNL. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep. For stationary noise sources, the noise element establishes noise compatibility criteria in terms of the exterior hourly equivalent sound level (L_{eq}) and maximum sound level (L_{max}). The standards are more restrictive during the nighttime hours, defined as 10:00 p.m. to 7:00 a.m. The standards may be adjusted upward (less restrictive) if the existing ambient noise level without the source of interest already exceeds these standards. The Noise Element standards for stationary noise sources are: (1) 50 dBA L_{eq} for the daytime and 45 dBA L_{eq} for the nighttime hourly equivalent sound levels; and, (2) 70 dBA L_{max} for the daytime and 65 dBA L_{max} for the nighttime maximum sound levels. If the existing ambient noise levels equal or exceed these levels, mitigation is required to limit noise to the ambient noise level plus 5 dB.

Noise Generation

The subject site currently is developed with a single-family residence and vacant land. Therefore, it is reasonable to assume that the proposed project could result in an increase in temporary and/or periodic ambient noise levels on the subject property above existing levels. The project has been designed to reduce ambient noise in the area with the construction of a six-foot tall block wall along property boundaries. However, as discussed above, this increase in noise will be mitigated to an acceptable level. Some increases in ambient noise levels will occur during the time of construction, but project construction will be limited to normal business hours (7am to 7pm) to minimize the impact on the adjacent neighborhood.

Groundborne Vibrations and Groundborne Noise Impacts

Construction activities associated with the development of the proposed project could expose persons or structures to groundborne vibration or increased noise levels. The MEIR for the Fresno General Plan references Caltrans standards to determine impacts. Caltrans considers a peak-particle velocity (ppv) threshold of .04 inches per second (in/sec) for continuous vibration as the minimum perceptible level for human annoyance

of groundborne vibration. Continuous/frequent vibrations in excess of .10 in/sec ppv is defined as distinctly perceptible, with levels of .4 in/sec ppv can be expected to result in severe annoyance to people. Ground vibration generated by common construction equipment, including large tractors and loaded trucks, ranges from 0.089 ppv (in/sec) to 0.003 ppv (in/sec) at 25 feet. Given that much of the construction will take place more than 25 feet away from neighboring properties and the threshold for severe annoyance is so much higher than what is expected of construction equipment (.4 compared to .089) the project's impact of groundborne vibrations is less than significant.

Short Term Noise Impacts

This mitigated negative declaration prepared for the proposed project is tiered from MEIR SCH No. 2012111015 prepared for the Fresno General Plan, which contains measures to mitigate projects' individual and cumulative noise impacts. Therefore, the purpose of this initial study is to evaluate potential project related impacts which were not evaluated fully within the scope of the MEIR.

The construction of a project involves short-term, construction related noise. Pursuant to the Fresno General Plan MEIR, as set forth by Chapter 10, Article 1, Section 10-109 – Exemptions, the provisions of Article 1 – Noise Regulations of the FMC shall not apply to:

Construction, repair or remodeling work accomplished pursuant to a building, electrical, plumbing, mechanical, or other construction permit issued by the city or other governmental agency, or to site preparation and grading, provided such work takes place between the hours of 7:00 a.m. and 10:00 p.m. on any day except Sunday.

Thus, although development activities associated with build-out of the Planning Area could potentially result in temporary or periodic increase in ambient noise levels in the project vicinity (as addressed in Impact NOI-4 of the MEIR), construction activity would be exempt from City of Fresno noise regulations, as long as such activity is conducted pursuant to an applicable construction permit and occurs between 7:00 a.m. and 10:00 p.m., excluding Sunday. Therefore, short-term construction impacts associated with the exposure of persons to or the generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies would be less than significant.

Therefore, noise impact of construction were anticipated and evaluated by the MEIR for the General Plan. This project will not produce any construction related noise impacts beyond those evaluated by the MEIR. In order to reduce noise impacts of construction on the neighboring properties even further, several mitigation measures have been included in this mitigated negative declaration. Reduced construction hours, mufflers on construction equipment, and truck route restrictions will further reduce the amount of construction noise associated with the proposed project.

Long Term Noise Impacts

The subject property will be zoned RM-1/UGM, which allows for multiple family residential developments. Abutting properties are comprised of a church use to the east and single family residential homes to the north, south, and west, which have similar noise level requirements during the day. Although the project will create some additional activity in the area, the project will be required to comply with all noise policies from the Fresno General Plan and the noise ordinance from the FMC. It may be noted however that a six-foot high screening wall is required by the Fresno Municipal Code to be constructed on the interior lot lines where multi-family development of four or more units abuts a single-family residential district. In accordance with the requirements of the Fresno Municipal Code, a block wall along all shared property lines with existing single-family development is incorporated as part of the project design. This screening wall will further reduce potential noise intrusion upon surrounding residential uses. The project also includes carports set internally on the site and away from property lines abutting single family residences. Further, a dense perimeter landscape is proposed to further screen neighboring residences from any noise produced on site.

Although the project will create additional activity in the area, the project does not include any stationary noise generators. The multi-family residential units are set back 20 to 60 feet from property lines shared with single family residences and will be separated by dense landscaping and a block wall. Noise from the project could come from the use of outdoor recreational areas, however project design has placed these community areas at the interior of the project site. These facilities are situated a minimum of 50 feet from property lines shared with single family residences and in most cases are separated from them by two story residential units.

The proposed project will not expose persons to excessive noise levels. Although the project will create additional activity in the area, the project will be required to comply with all noise policies from the Fresno General Plan and noise ordinance of the Fresno Municipal Code.

In conclusion, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING - - Would the project:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

The project is a proposed amendment to the Fresno General Plan and Woodward Park Community Plan land use for ±2.27 acres from the Medium-Low Density Residential (3.5 to 6 dwelling units/acre) to the Medium-High Density Residential (12-16 dwelling units/acre) planned land use. The proposed project would allow for the construction of 34 multi-family units. These figures do not represent a substantial population growth. The site is surrounded by urban uses, remaining as an infill site; and, all services such as sewer and water are already constructed to serve the site and surrounding area. Therefore, the proposed project has no potential to induce substantial growth.

The subject site is currently developed with a single-family residence. Therefore, the proposed project does not have the potential to displace substantial numbers of existing housing or persons as a result of development thereon.

No population and housing impacts will result from the proposed project beyond what was analyzed in the Master Environmental Impact Report SCH No. 2012111015 for the Fresno General Plan.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES --				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Drainage and flood control?		X		
Parks?			X	
Schools?			X	
Other public services?			X	

The subject site shall comply with the applicable service delivery requirements necessary to provide not less than the minimum acceptable level of fire protection facilities and services appropriate for urban uses. City police and fire protection services are available to serve the subject site. The subject site is located within one mile of Fresno Fire Station No. 13 and within two (2) miles of Fresno Fire Station No. 17.

The Department of Public Utilities has reviewed the proposed project and has determined that adequate sewer, water, and solid waste facilities are available subject to compliance with the conditions submitted by the Department of Public Utilities for this project.

The Fresno Metropolitan Flood Control District (FMFCD) has indicated that as a condition of the rezone, the developer be required to mitigate the impacts of the increased runoff from the proposed medium-high density residential land use to a rate that would be expected if developed to a medium-low density residential land use. Drainage from the site shall be directed to East Shepherd Avenue where conveyance infrastructure is located. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance. The cost of the construction of Master Plan Facilities, excluding dedication of storm drainage easements, is eligible for credit against the drainage fee.

The existing Master Plan facilities which serve the area of Plan Amendment Application No. A-16-005 and Rezone Application No. R-16-006 were constructed to accommodate runoff generated from medium-low density residential development, consistent with the current zoning. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Master Plan facilities are to be paid for through the collection of drainage fees calculated at a commercial rate. Therefore, the FMFCD requires that a medium-high density residential drainage fee rate be assessed for the project site.

These departments and agencies have all submitted conditions that will be required as Conditions of Approval for the subject site. These conditions of approval will ensure that the proposed project will have a less than significant impact to urban services. All conditions of approval must be complied with prior to occupancy.

The demand for parks generated by the project is within planned services levels of the City of Fresno Parks and Community Services Department and the applicant will pay any required impact fees at the time building permits are obtained.

The Clovis Unified School District has not provided comments on the proposed project. However, the District recognizes that the legislature, as a matter of law, has deemed under Government Code Section 65996, that all school facilities impacts are mitigated as a consequence of SB 50 Level 1, 2 and 3 developer fee legislative provisions. The developer will be required by the City to pay appropriate impact fees at time of building permits.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the public service related mitigation measures as identified in the attached Master Environmental Impact Report SCH No. 111015 Fresno General Plan Mitigation Monitoring Checklist dated June 3, 2016.
2. The proposed project shall implement and incorporate the hydrology/land use/public service/utilities and service systems related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated June 3, 2016.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

The proposed project will not result in the physical deterioration of existing parks or recreational facilities; and, will not require expansion of existing recreational facilities or affect recreational services beyond what was analyzed in the MEIR for the Fresno General Plan. The recreational facilities (open space) proposed within the project will not have an adverse physical impact on the environment.

In conclusion, the proposed project would not result in any recreation environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC - - Would the project:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?			X	
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

The subject site is comprised of approximately ± 2.27 acres of property located on the south side of East Shepherd Avenue between North Millbrook and North Cedar Avenues. The subject site location is adjacent to low and medium density residential and open space (developed with a church) land uses which provide for a pattern of development with the potential to increase the number of average daily vehicle trips.

In the Fresno General Plan, East Shepherd Avenue is designated as a four-lane, divided, arterial street, developed with a trail, which has a primary purpose of moving traffic between collector streets and to or from freeways and expressways.

Plan Amendment Application No. A-16-005 and Rezone Application No. R-16-006 propose to amend the Fresno General Plan and Woodward Park Community Plan to change the planned land use designation for approximately ± 2.27 acres of Medium-Low Density Residential to the Medium-High Density Residential land use designation. Rezone Application No. R-16-006 proposes to re-zone the subject property from the RS-4/UGM (*Residential Single Family, Medium low Density/Urban Growth Management*) zone district to the RM-1/UGM (*Residential Multiple Family, Medium High Density/Urban Growth Management*) zone district. The proposed plan amendment and rezone will increase the traffic volume, as noted above. The trips would be directed onto East Shepherd Avenue, an existing four-lane divided arterial street adjacent to the proposed property according to the Fresno General Plan and the Woodward Park Community Plan.

A Traffic Generation Analysis dated May 2, 2016, was completed by JLB Engineering, Inc. for the proposal to construct 34 multi-family residential units. The development is expected to generate an average of approximately 226 average daily trips (ADT). Of these vehicle trips it is projected that seventeen (17) will occur during the morning (7 to 9 a.m.) peak hour travel period and twenty-one (21) will occur during the evening (4 to 6 p.m.) peak hour travel period. The comparison of the projected trips over the existing trips is a difference of 102 ADT's, seven (7) morning peak hour, and eight (8) evening peak hour trips. The Analysis found that the project would result in fewer than 226 vehicle trips per day, with 17 a.m. and 21 p.m. peak hour trips, which does not exceed the 100 vehicle trips during any peak hour estimated by the General Plan.

The Public Works Department, Traffic and Engineering Division in comments dated May 10, 2016 agreed with this Analysis and indicated that the site is located in Traffic Impact Zone (TIZ) III which allows for 100 peak hour trips to be generated by a project before a Traffic Impact Study is required. Because the proposed project is projected to generate less than 100 peak hour trips, a Traffic Impact Study was not required and considered the change in traffic to be negligible. However, street improvements for new construction will include: (1) Right-of-way and public easement dedications; (2) Repair all damaged and/or off grade off-site concrete street improvements; (3) Underground all existing off-site overhead utilities within project limits; and (4) Payment of applicable impact fees including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fee, and the Regional Transportation Mitigation Fee (RTMF).

The area street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to, and recognize the traffic generating characteristics of, individual properties and, at the same time, afford the community an adequate and efficient circulation system.

No adverse environmental effects related to transportation or traffic are expected as a result of this project.

Therefore, the proposed project would not result in any transportation or traffic related environmental impacts beyond those analyzed in MEIR SCH No. 2012111015.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X		
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

The Department of Public Utilities has determined that adequate sanitary sewer and water services will be available to serve the proposed project subject to the payment of any applicable connection charges and/or fees; compliance with the Department of Public Utilities standards, specifications, and policies. Sanitary sewer and water service delivery is also subject to payment of applicable connection charges and/or fees; compliance with the Department of Public Utilities standards, specifications, and policies; the rules and regulations of the California Public Utilities Commission and California Health Services; and, implementation of the City-wide program for the completion of incremental expansions to facilities for planned water supply, treatment, and storage. The project site will be serviced by solid waste division and will have water and sewer facilities available subject to the conditions stipulated for the proposed project.

According to the Fresno Metropolitan Flood Control District (FMFCD), the subject site is not located within a flood prone or hazard area and the existing drainage system was designed with capacity to serve the project with the existing residential medium low density land use. Therefore, mitigation has been provided that requires the developer to mitigate impacts of the increased runoff from the proposed medium high density residential type land use to a rate that would be expected if developed to medium low density residential. The developer will be required to provide improvements which will convey surface drainage to Master Plan inlets and which will provide a path for major storm conveyance. When development permits are issued, the subject site will be required to pay drainage fees pursuant to the Drainage Fee Ordinance.

The proposed project is not expected to exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. The impact to storm drainage

facilities will be less than significant given the developer will be required to provide drainage services and convey runoff to Master Plan Facilities.

With mitigation provided, the project will not alter existing drainage patterns of the site or area or substantially increase the rate or amount of runoff in a manner which would result in flooding, exceed planned storm water drainage systems, or provide substantial sources of polluted runoff. The subject property is proposed to be developed at intensity and scale permitted by the proposed planned land use and RM-1 zoning designation for the site. With system improvements discussed above, the proposed development project will not result in additional impacts on water supply from increased demand.

Mitigation Measures

1. The proposed project shall implement and incorporate the hydrology/land use/public service/utilities and service systems related mitigation measures as identified in the attached Project Specific Mitigation Monitoring Checklist dated June 3, 2016.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

The proposed project is considered to be proposed at a size and scope which is neither a direct or indirect detriment to the quality of the environment through reductions in habitat, populations, or examples of local history (through either individual or cumulative impacts).

The proposed project does not have the potential to degrade the quality of the environment or reduce the habitat of wildlife species and will not threaten plant communities or endanger any floral or faunal species. Furthermore the project has no potential to eliminate important examples of major periods in history.

Therefore, as noted in preceding sections of this Initial Study, there is no evidence in the record to indicate that incremental environmental impacts facilitated by this project would be cumulatively significant. There is also no evidence in the record that the proposed project would have any adverse impacts directly, or indirectly, on human beings.

In summary, given the mitigation measures required of the proposed project and the analysis detailed in the preceding Initial Study, the proposed project:

- does not have environmental impacts which will cause substantial adverse effects on human beings, either directly nor indirectly.
- does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish/wildlife or native plant species (or cause their population to drop below self-sustaining levels), does not threaten to eliminate a native plant or animal community, and does not threaten or restrict the range of a rare or endangered plant or animal.

- does not eliminate important examples of elements of California history or prehistory.
- does not have impacts which would be cumulatively considerable even though individually limited.

Therefore, there are no mandatory findings of significance and preparation of an Environmental Impact Report is not warranted for this project.

K:\Master Files - 2016\PLAN AMENDMENT\A-16-005, R-15-006, D-16-031, 1161 E. Shepherd Ave. 34-units -- LF\EA - MND\A-16-005, R-16-006, D-16-031 Appendix G.docx

EXHIBIT B

MEIR Mitigation Measure Monitoring Checklist for Environmental Assessment No.

A-16-005/R-16-006/D-16-031

Conducted for Plan Amendment Application No. A-16-005, Rezone Application No. R-16-006 and Development Permit Application No. D-16-031 June 3 , 2016

PURSUANT TO CERTIFIED MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) SCH No. 2012111015

This mitigation measure monitoring and reporting checklist was prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15097 and Section 21081.6 of the Public Resources Code (PRC). It was certified as part of the Fresno City Council's approval of the MEIR for the Fresno General Plan (Fresno City Council Resolution 2014-225, adopted December 18, 2014).

Letter designations to the right of each MEIR mitigation measure listed in this Exhibit note how the mitigation measure relates to the environmental assessment of the above-listed project, according to the key found at right and at the bottoms of the following pages:

- A** - Incorporated into Project
- B** - Mitigated
- C** - Mitigation in Progress
- D** - Responsible Agency Contacted
- E** - Part of City-wide Program
- F** - Not Applicable

The timing of implementing each mitigation measure is identified in in the checklist, as well as identifies the entity responsible for verifying that the mitigation measures applied to a project are performed. Project applicants are responsible for providing evidence that mitigation measures are implemented. As lead agency, the City of Fresno is responsible for verifying that mitigation is performed/completed.

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Section 5.1 - Aesthetics:

MM AES-1. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences. Verification comments:	Prior to issuance of building permits	Public Works Department (PW) and Development & Resource Management Dept. (DARM)	X	X				

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Aesthetics (continued):									
MM AES-2: Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties.		Prior to issuance of building permits	DARM						X
Verification comments:									
MM AES-3: Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur.		Prior to issuance of building permits	DARM						X
Verification comments:									
MM AES-4: Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater		Prior to issuance of building permits	DARM	X	X				
Verification comments:									

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Aesthetics (continued):

MM AES-5: Materials used on building facades shall be non-reflective. Verification comments:	Prior to development project approval	DARM	X	X				

Section 5.3 - Air Quality:

MM AIR-1: Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO ₂ and PM _{2.5} . If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to reduce the impacts to the extent feasible. Mitigation measures include but are not limited to: <ul style="list-style-type: none"> Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. Post signs requiring drivers to limit idling to 5 minutes or less. Verification comments:	Analysis to be completed prior to development project approval; posting of signs to be completed prior to use of truck unloading/loading areas	DARM						X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Air Quality *(continued)*:

MM AIR-2: Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce toxic air contaminant (TAC) exposure to reduce excess cancer risk to less than 10 in a million. Possible control measures include but are not limited to: <ul style="list-style-type: none"> • Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards. • Post signs requiring drivers to limit idling to 5 minutes or less • Construct block walls to reduce the flow of emissions toward sensitive receptors • Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions • For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds. • Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems. <p style="text-align: right;"><i>(continued on next page)</i></p>	Control measures to be incorporated into project design prior to development project approval	DARM						
								X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Air Quality (continued):

MM AIR-2 (continued from previous page): <ul style="list-style-type: none"> For large distribution centers where the owner controls the vehicle fleet, provide facilities to support alternative fueled trucks powered by fuels such as natural gas or bio-diesel Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved. Verification comments:	[see previous page]	[see previous page]						
MM AIR-3: Require developers proposing projects on ARB's list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration to prepare a cumulative health risk assessment when sensitive receptors are located within the distance screening criteria of the facility as listed in the ARB Handbook or newer regulatory criteria that may be adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD).. Verification comments:	Prior to development project approval	DARM						
								X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Air Quality *(continued)*:

MM AIR-4: Require developers of projects containing sensitive receptors to provide a cumulative health risk assessment at project locations exceeding ARB Land Use Handbook distance screening criteria or newer regulatory criteria that may be adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD). Verification comments:	Prior to development project approval	DARM						
								X
MM AIR-5: Require developers of projects with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City to the extent needed to reduce the impact to less than significant. Verification comments:	Prior to development project approval	DARM						
								X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Biological Resources:

<p>MM BIO-1: Construction of a proposed project should avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible.</p> <p>Verification comments:</p>	Prior to development project approval and during the construction phase of the project	DARM						
								X
<p>MM BIO-2: Direct or incidental take of any state or federally listed species should be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the California Department of Fish and Wildlife (CDFW) 2081 and U.S. Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes must take place prior to any action that</p> <p><i>(continued on next page)</i></p>	Prior to development project approval	DARM						
								X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Biological Resources *(continued)*:

MM BIO-2 <i>(continued from previous page)</i> may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to a listed species will be determined on a case-by-case basis through agency consultation. Verification comments:	[see previous page]	[see previous page]						
MM BIO-3: Development within the Planning Area should avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and the California Endangered Species Act (CESA). Mitigation will consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation will be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio will be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant <i>(continued on next page)</i>	Prior to development project approval	DARM						
								X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Biological Resources <i>(continued)</i> :								
MM BIO-3 <i>(continued from previous page)</i> : level. Agreed-upon mitigation ratios will depend on the quality of the habitat and presence/absence of a special-status species. The specific mitigation for project level impacts will be determined on a case-by-case basis. Verification comments:	<i>[see previous page]</i>	<i>[see previous page]</i>						
MM BIO-4 : Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor must be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities <i>(continued on next page)</i>	Prior to development project approval and during construction activities	DARM						X

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

E - Part of City-Wide Program
 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Biological Resources (continued):

BIO-4 (continued from previous page): may continue in the vicinity of the nest only at the discretion of the biological monitor. Verification comments:	[see previous page]	[see previous page]						
MM BIO-5: If a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Planning Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation will be determined through consultation with the appropriate agency (i.e., CDFW and/or USFWS) on a case-by-case basis. Verification comments:	Prior to development project approval	DARM						
								X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Biological Resources *(continued)*:

MM BIO-6: Project impacts that occur to riparian habitat may also result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. CDFW and/or consultation with the U.S. Army Corps of Engineers (USACE) and the Regional Water Quality Control Board (RWQCB), determination of mitigation strategy, and regulatory permitting to reduce impacts, shall be implemented as required for projects that remove riparian habitat and/or alter a streambed or waterway. Verification comments:	Prior to development project approval	DARM						
								X
MM BIO-7: Project-related impacts to riparian habitat or a special-status natural community may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. Project impacts to special-status species associated with riparian habitat shall be mitigated through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS. Verification comments:	Prior to development project approval	DARM						
								X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Biological Resources *(continued)*:

<p>MM BIO-8: If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to U.S. Army Corps of Engineers (USACE) accepted methodology is required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a "no net loss" of wetland habitat within the Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland. .</p> <p>Verification comments:</p>	Prior to development project approval	DARM						
								X
<p>MM BIO-9: In addition to regulatory agency permitting, Best Management Practices (BMPs) identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and (continued on next page)</p>	Prior to development project approval; but for long-term operational BMPs, prior to issuance of occupancy	DARM	X	X				

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Biological Resources *(continued)*:

MM BIO-9 <i>(continued from previous page)</i> : incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible. Verification comments:	<i>[see previous page]</i>	<i>[see previous page]</i>						
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Section 5.5 - Cultural Resources:

MM CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and <i>(continued on next page)</i>	Prior to commencement of, and during, construction activities	DARM	X	X				
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A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Cultural Resources *(continued)*:

MM CUL-1 <i>(continued from previous page)</i> <p>recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.</p> <p>No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p> <p>Verification comments:</p>	[see previous page]	[see previous page]						
MM CUL-2: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed. If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric resources are found, the following procedures shall be followed. <i>(continued on next page)</i>	Prior to commencement of, and during, construction activities	DARM						
			X	X				

A - Incorporated into Project
 B - Mitigated

C - Mitigation in Process
 D - Responsible Agency Contacted

E - Part of City-Wide Program
 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Cultural Resources *(continued)*:

MM CUL-2 <i>(continued from previous page)</i> archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with CEQA Guidelines Section 15064.5. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of <i>(continued on next page)</i>	[see previous page]	[see previous page]						

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Cultural Resources (continued):

<p>MM CUL-2 <i>(further continued from previous two pages)</i></p> <p>providing long-term preservation to allow future scientific study.</p> <p>If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.</p> <p>In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure</p> <p><i>(continued on next page)</i></p>	[see Page 14]	[see Page 14]						

Cultural Resources (continued):

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
MM CUL-2 <i>(further continued from previous three pages)</i> identified above for the discovery of unknown resources shall be followed. . . Verification comments:		[see Page 14]	[see Page 14]						
MM CUL-3: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed: If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the <i>(continued on next page)</i>		Prior to commencement of, and during, construction activities	DARM	X	X				

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Cultural Resources *(continued)*:**MM CUL-3** *(continued from previous page)*

measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery

(continued on next page)

[see previous page]

[see previous page]

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Cultural Resources *(continued)*:

MM CUL-3 <i>(further continued from previous two pages)</i> excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. Verification comments:	[see Page 17]	[see Page 17]						
MM CUL-4: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most <i>(continued on next page)</i>	Prior to commencement of, and during, construction activities	DARM						
			X	X				

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Cultural Resources *(continued)*:

<p>MM CUL-4 <i>(continued from previous page)</i></p> <p>likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains.</p> <p>Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.</p> <p>Verification comments:</p>	[see previous page]	[see previous page]	
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A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Section 5.8 - Hazards and Hazardous Materials									
MM HAZ-1: Re-designate the existing vacant land proposed for low density residential use, located northwest of the intersection of East Garland Avenue and North Dearing Avenue and within Fresno Yosemite International Airport Zone 1-RPZ, to Open Space. Verification comments:		Prior to development approvals	DARM						X
MM HAZ-2: Limit the proposed low density residential at (1 to 3 dwelling units per acre) located northwest of the airport, and located within Fresno Yosemite International Airport Zone 3-Inner Turning Area, to 2 dwelling units per acre or less. Verification comments:		Prior to development approvals	DARM						X
MM HAZ-3: Re-designate the current area located within Fresno Yosemite International Airport Zone 5-Sideline northeast of the airport to Public Facilities-Airport or Open Space. Verification comments:		Prior to development approvals	DARM						X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hazards and Hazardous Materials (continued):									
MM HAZ-4: Re-designate the current vacant lots located at the northeast corner of Kearney Boulevard and South Thorne Avenue to Public Facilities-Airport or Open Space. Verification comments:		Prior to development approvals	DARM						X
MM HAZ-5: Prohibit residential uses within Safety Zone 1 northwest of the Hawes Avenue and South Thorne Avenue intersection. Verification comments:		Prior to development approvals	DARM						X
MM HAZ-6: Establish an alternative Emergency Operations Center in the event the current Emergency Operations Center is under redevelopment or blocked. Verification comments:		Prior to redevelopment of the current Emergency Operations Center	Fresno Fire Department and Mayor/City Manager's Office					X	

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Section 5.9 - Hydrology and Water Quality:									
MM HYD-1: The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day. Verification comments:		Prior to water demand exceeding water supply	Department of Public Utilities (DPU)						
MM HYD-2: The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP. Verification comments:		Ongoing	DPU					X	
MM HYD-5.1: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems to less than significant. <ul style="list-style-type: none"> Implement the existing Storm Drainage Master Plan (SDMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses. <i>(continued on next page)</i>		Prior to exceedance of capacity of existing stormwater drainage facilities	Fresno Metropolitan Flood Control District (FMFCD), DARM, and PW		X			X	

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Hydrology and Water Quality (continued):

<p>HYD-5.1 <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> Update the SDMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness. Implementation of the updated SDMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness. <p>Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.</p> <p>Verification comments:</p>	[see previous page]	[see previous page]						

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality (<i>continued</i>):									
MM HYD-5.2: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins to less than significant: Consult the SDMP to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include: <ul style="list-style-type: none"> • Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins. • Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canal that convey the stormwater to a disposal facility for existing retention basins. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins. 		Prior to exceedance of capacity of existing retention basin facilities	FMFCD, DARM, and PW		X				X
Verification comments:									

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Hydrology and Water Quality <i>(continued)</i> :									
<p>MM HYD-5.3: The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins to less than significant.</p> <p>Consult the SDMP to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:</p> <ul style="list-style-type: none"> • Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors. • Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins. <p>Verification comments:</p>		Prior to exceedances of capacity of existing urban detention basin (stormwater quality) facilities	FMFCD, DARM, and PW	X	X			X	

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Hydrology and Water Quality *(continued)*:

- MM HYD-5.4:** The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant.
- Consult the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded.
 - Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates.
 - Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDMP-update.

Verification comments:

Prior to exceedance of capacity of existing pump disposal systems	FMFCD, DARM, and PW		X					X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Hydrology and Water Quality *(continued)*:

MM HYD-5.5: The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that is would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area. Verification comments:	Prior to development approvals in the Southeast Development Area	FMFCD, DARM, and PW						
							X	X

Section 5.13 - Public Services:

MM PS-1: As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce these impacts includes: <ul style="list-style-type: none"> • <i>Noise:</i> Barriers and setbacks on the fire department sites. • <i>Traffic:</i> Traffic devices for circulation and a "keep clear zone" during emergency responses. • <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures on the fire department sites. Verification comments:	During the planning process for future fire department facilities	DARM						
								X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Public Services (continued):

MM PS-2: As future police facilities are planned, the Police Department shall evaluate if specific environmental effects would occur. Typical impacts from police facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from police department facilities includes: <ul style="list-style-type: none"> • <i>Noise:</i> Barriers and setbacks on the police department sites. • <i>Traffic:</i> Traffic devices for circulation. • <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures on the Police Department sites. Verification comments:	During the planning process for future Police Department facilities	DARM						
								X
MM PS-3: As future public and private school facilities are planned, school districts shall evaluate if specific environmental effects would occur with regard to public schools, and DARM shall evaluate other school facilities. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from school facilities includes: <i>(continued on next page)</i>	During the planning process for future school facilities	DARM, local school districts, and the Division of the State Architect						
								X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Public Services (continued):									
MM PS-3 (continued from previous page)		[see previous page]	[see previous page]						
<ul style="list-style-type: none"> • Noise: Barriers and setbacks placed on school sites. • Traffic: Traffic devices for circulation. • Lighting: Provision of hoods and deflectors on lighting fixtures for stadium lights. 									
Verification comments:									
MM PS-4: As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from parks and recreational facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from these facilities includes:		During the planning process for future park and recreation facilities	DARM						
<ul style="list-style-type: none"> • Noise: Barriers and setbacks placed on school sites. • Traffic: Traffic devices for circulation. • Lighting: Provision of hoods and deflectors on lighting fixtures for outdoor play area/field lights. 									
Verification comments:									

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Public Services (continued):

MM PS-5: As future court, library, detention, and hospital facilities are planned, the appropriate agencies and DARM, when the City has jurisdiction, shall evaluate if specific environmental effects would occur. Typical impacts from court, library, detention, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce these potential impacts includes: <ul style="list-style-type: none"> • <i>Noise:</i> Barriers and setbacks placed on school sites. • <i>Traffic:</i> Traffic devices for circulation. • <i>Lighting:</i> Provision of hoods and deflectors on outdoor lighting fixtures Verification comments:	During the planning process for future detention, court, library, and hospital facilities	DARM, to the extent that agencies approving/constructing these facilities are subject to City of Fresno regulation						
								X

Section 5.15 - Utilities and Service Systems

MM USS-1: The City shall develop and implement a wastewater master plan update. Verification comments:	Prior to wastewater conveyance and treatment demand exceeding capacity	DPU					X	

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems *(continued)*:

MM USS-2: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. By approximately the year 2025, the City shall construct the following improvements: <ul style="list-style-type: none"> Construct an approximately 70 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased. Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased. Verification comments:	Prior to exceeding existing wastewater treatment capacity	DPU						
							X	X
MM USS-3: Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. <i>(continued on next page)</i>	Prior to exceeding existing wastewater treatment capacity	DPU						
							X	X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
Utilities and Service Systems (continued):									
MM USS-3 (continued from previous page): After approximately the year 2025, the City shall construct the following improvements:		[see previous page]	[see previous page]						
<ul style="list-style-type: none"> Construct an approximately 24 MGD wastewater treatment facility within the Southeast Development Area and obtain revised waste discharge requirements as the generation of wastewater is increased. Construct an approximately 9.6 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased. 									
Verification comments:									
MM USS-4: Prior to construction, a Traffic Control/Traffic Management Plan to address traffic impacts during construction of water and sewer facilities shall be prepared and implemented, subject to approval by the City (and Fresno County, when work is being done in unincorporated area roadways). The plan shall identify hours of construction and for deliveries, haul routes, access and parking restrictions, pavement markings and signage; and it shall include the (continued on next page)		Prior to construction of water and sewer facilities	PW for work in the City; PW and Fresno County Public Works when unincorporated area roadways are involved	X	X				

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems (continued):

MM USS-4 (continued from previous page): notification plan, and coordination with emergency service providers and schools. Verification comments:	[see previous page]	[see previous page]						
MM USS-5: Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided. <ul style="list-style-type: none"> Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27 inches to 42 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP. <i>(continued on next page)</i>	Prior to exceeding capacity within the existing wastewater collection system facilities	DPU						
								X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems *(continued)*:

MM USS-5 <i>(continued from previous page)</i> <ul style="list-style-type: none"> Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP. North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48 inches to 66 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1. Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24 inches <i>(continued on next page)</i> 	[see previous page]	[see previous page]						

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems (continued):

MM USS-5 (further continued from previous two pages): to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP. Verification comments:	[see Page 34]	[see Page 34]						
MM USS-6: Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in MEIR Appendix J-1, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of one of the 28 pipeline segments until additional capacity is provided. Verification comments:	Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1 of the MEIR	DPU						
								X
MM USS-7: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that would demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided. (continued on next page)	Prior to exceeding existing water supply capacity	DPU						
				X				X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems *(continued)*:

USS-7 <i>(continued from previous page)</i> <ul style="list-style-type: none"> Construct an approximately 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of the City of Fresno Metropolitan Water Resources Management Plan Update (2014 Metro Plan Update) Phase 2 Report, dated January 2012. Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Verification comments:	[see previous page]	[see previous page]						

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems *(continued)*:

MM USS-8: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025. <ul style="list-style-type: none"> Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p><i>(continued on next page)</i></p>	Prior to exceeding capacity within the existing water conveyance facilities	DPU			X				X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems *(continued)*:

MM USS-8 <i>(continued from previous page)</i> <ul style="list-style-type: none"> Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch diameter, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct 95.9 miles of 16-inch diameter transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Verification comments:	[see previous page]	[see previous page]						

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems (*continued*):

<p>MM USS-9: Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.</p> <ul style="list-style-type: none"> Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area. Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area. <p>Additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.</p> <p>Verification comments:</p>	Prior to exceeding capacity within the existing water conveyance facilities	DPU						
				X				X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems - Hydrology and Water Quality

USS-10: In order to maintain Fresno Irrigation District canal operability, FMFCD shall maintain operational intermittent flows during the dry season, within defined channel capacity and downstream capture capabilities, for recharge. Verification comments:	During the dry season	Fresno Irrigation District (FID)			X			X

Utilities and Service Systems - Biological Resources:

USS-11: When FMFCD proposes to provide drainage service outside of urbanized areas: (a) FMFCD shall conduct preliminary investigations on undeveloped lands outside of highly urbanized areas. These investigations shall examine wetland hydrology, vegetation and soil types. These preliminary investigations shall be the basis for making a determination on whether or not more in-depth wetland studies shall be necessary. If the proposed project site does not exhibit wetland hydrology, support a prevalence of wetland vegetation and wetland soil types then no further action is required. <i>(continued on next page)</i>	Prior to development approvals outside of highly urbanized areas	California Regional Water Quality Control Board (RWQCB), and USACE			X			X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources (continued):

MM USS-11 (continued from previous page): (b) Where proposed activities could have an impact on areas verified by the USACE as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair or reduce the reach of such waters. (As part of FMFCD's Memorandum of Understanding, with CDFW, Section 404 and 401 permits would be obtained from the USACE and RWQCB for any activity involving filling of jurisdictional waters.) At a minimum, to meet "no net loss policy," the permits shall require replacement of wetland habitat at a 1:1 ratio. (c) Where proposed activities could have an impact on areas verified by the USACE as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall submit and implement a wetland mitigation plan based on the wetland acreage verified by the USACE. The wetland mitigation plan shall be prepared by a qualified biologist or wetland scientist experienced in wetland creation, and shall include the following or equally effective elements: <i>(continued on next page)</i>	[see previous page]	[see previous page]						

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources *(continued)*:

<p>MM USS-11 <i>(further continued from previous two pages)</i></p> <ul style="list-style-type: none"> i. Specific location, size, and existing hydrology and soils within the wetland creation area. ii. Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan. iii. A monitoring program for restored, enhanced, created, and preserved wetlands on the project site. A monitoring program is required to meet three objectives; 1) establish a wetland creation success criteria to be met; 2) to specify monitoring methodology; 3) to identify as far as is possible, specific remedial actions that will be required in order to achieve the success criteria; and 4) to document the degree of success achieved in establishing wetland vegetation. <p><i>(continued on next page)</i></p>	[see Page 41]	[see Page 41]	
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A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-11 <i>(further continued from previous three pages)</i></p> <p>(d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are being carried out and how these shall be adjusted if necessary. If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above.</p> <p>Or</p> <p>(e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank.</p> <p>Verification comments:</p>	[see Page 41]	[see Page 41]						
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A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources *(continued)*:

<p>MM USS-12: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants, then no further action is required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFW/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable.</p> <p>(b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFW and/or implement a Section 7 consultation with USFWS, shall</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	During FMFCD facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	California Department of Fish & Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)						
								X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-12 (continued from previous page)</p> <p>determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following:</p> <ul style="list-style-type: none"> The status of the species in question (e.g., officially listed by the State or Federal Endangered Species Acts). The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question. The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. <p>(c) Prior to design approval, and in consultation with the CDFW and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level.</p> <p>Verification comments:</p>	[see previous page]	[see previous page]						

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-12 (further continued from previous two pages)</p> <ul style="list-style-type: none"> The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population. <p>(c) Prior to design approval, and in consultation with the CDFW and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level.</p> <p>Verification comments:</p>	[see Page 45]	[see Page 45]						
<p>MM USS-13: When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary survey to determine the presence of listed vernal pool crustaceans.</p> <p>(continued on next page)</p>	During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools	CDFW and USFWS						X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources (continued):

MM USS-13 <i>(continued from previous page)</i> (b) If potential habitat (vernal pools, seasonally inundated areas) or fairy shrimp exist within areas proposed to be disturbed, FMFCD shall complete the first and second phase of fairy shrimp presence or absence surveys. If an absence finding is determined and accepted by the USFWS, then no further mitigation shall be required for fairy shrimp. (c) If fairy shrimp are found to be present within vernal pools or other areas of inundation to be impacted by the implementation of storm drainage facilities, FMFCD shall mitigate impacts on fairy shrimp habitat in accordance with the USFWS requirements of the Programmatic Biological Opinion. This shall include on-site or off-site creation and/or preservation of fairy shrimp habitat at ratios ranging from 3:1 to 5:1 depending on the habitat impacted and the choice of on-site or off-site mitigation. Or mitigation shall be the purchase of mitigation credit through an accredited mitigation bank. Verification comments:	[see previous page]	[see previous page]						

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources (continued):

- MM USS-14:** When FMFCD proposes to construct drainage facilities in an area where elderberry bushes may occur:
- (a) During facility design and prior to initiation of construction activities, FMFCD shall conduct a project-specific survey for all potential Valley Elderberry Longhorn Beetle (VELB) habitats (elderberry shrubs), including a stem count and an assessment of historic or current VELB habitat.
 - (b) FMFCD shall avoid and protect all potential identified VELB habitat where feasible.
 - (c) Where avoidance is infeasible, develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs.

Verification comments:

CDFW and USFWS

During facility design and prior to initiation of construction activities

X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-15: Prior to ground disturbing activities during nesting season (March through July) for a FMFCD drainage facility project that supports bird nesting habitat, FMFCD shall conduct a survey of trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary.</p> <p>Verification comments:</p>	<p>Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat</p>	<p>CDFW and USFWS</p>						
								X
<p>MM USS-16: When FMFCD proposes to construct drainage facilities in an area that supports burrowing owl nesting habitat:</p> <p>(a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (e.g., canal berms, open grasslands with suitable burrows) during the same calendar year that construction is planned to begin. If phased construction procedures are planned for the proposed project, the results of the (continued on next page)</p>	<p>Prior to, and during, the breeding season (approximately February 1 through August 31) of the same calendar year that construction is planned to begin</p>	<p>CDFW and USFWS</p>						
								X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources (continued):

<p>MM USS-16 (continued from previous page)</p> <p>above survey shall be valid only for the season when it is conducted</p> <p>(b) During the construction stage, FMFCD shall avoid all burrowing owl nest sites potentially disturbed by project construction during the breeding season while the nest is occupied with adults and/or young. The occupied nest site shall be monitored by a qualified biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a 160-foot diameter non-disturbance buffer zone around the nest site. Disturbance of any nest sites shall only occur outside of the breeding season and when the nests are unoccupied based on monitoring by a qualified biologist. The buffer zone shall be delineated by highly visible temporary construction fencing.</p> <p>Based on approval by CDFW, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the</p> <p>(continued on next page)</p>	[see previous page]	[see previous page]						

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems - Biological Resources (continued):

MM USS-16 (further continued from previous two pages) burrows according to current CDFW protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction. For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby). Verification comments:	[see Page 50]	[see Page 50]						
MM USS-17: When FMFCD proposes to construct drainage facilities in the San Joaquin River corridor: (a) FMFCD shall not conduct instream activities in the San Joaquin River between October 15 and April 15. If this is not feasible, FMFCD shall consult with the National Marine Fisheries Service and CDFW on the appropriate measures to be implemented in order to protect listed salmonids in the San Joaquin River. (b) Riparian vegetation shading the main-channel that is removed or damaged shall be replaced at a ratio and quantity sufficient to maintain the existing shading of the channel. The location of replacement trees on or within <i>(continued on next page)</i>	During instream activities conducted between October 15 and April 15	National Marine Fisheries Service (NMFS), CDFW, and Central Valley Flood Protection Board (CVFPB)						
								X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems / Biological Resources (continued):

MM USS-17 (continued from previous page) FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board. Verification comments:	[see previous page]	[see previous page]						
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Utilities and Service Systems – Recreation / Trails:

MM USS-18: When FMFCD updates its District Service Plan: Prior to final design approval of all elements of the District Services Plan, FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace adopted existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, FMFCD shall implement the following: <i>(continued on next page)</i>	Prior to final design approval of all elements of the FMFCD District Service Plan	DARM, PW, City of Clovis, and County of Fresno						
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C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems – Recreation / Trails (continued):

MM USS-18 (continued from previous page) (a) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities. (b) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or FMFCD shall replace these facilities. Verification comments:	[see previous page]	[see previous page]						

Utilities and Service Systems – Air Quality:

MM USS-19: When District drainage facilities are constructed, FMFCD shall: (a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use. (continued on next page)	During storm water drainage facility construction activities	Fresno Metropolitan Flood Control District and SJVAPCD						
				X				X

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 B - Mitigated

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 D - Responsible Agency Contacted

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 F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems – Air Quality (continued):**MM USS-19** (continued from previous page)

- (b) Construction shall be curtailed as much as possible when the Air Quality Index (AQI) is above 150. AQI forecasts can be found on the SJVAPCD web site.
- (c) Off-road trucks should be equipped with on-road engines if possible.
- (d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by the California Air Resources Board), or be re-powered with an engine that meets this standard.

Verification comments:

[see previous page]

[see previous page]

Utilities and Service Systems – Adequacy of Storm Water Drainage Facilities:

MM USS-20: Prior to exceeding capacity within the existing storm water drainage facilities, the City shall coordinate with FMFCD to evaluate the storm water drainage system and shall not approve additional development that would convey additional storm water to a facility that would experience an exceedance of capacity until the necessary additional capacity is provided.

Verification comments:

FMFCD, PW, and DARM

Prior to exceeding capacity within the existing storm water drainage facilities

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

E - Part of City-Wide Program
F - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F

Utilities and Service Systems – Adequacy of Water Supply Capacity:

USS-21: Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demands additional water until additional capacity is provided. By approximately the year 2025, the City shall construct an approximately 25,000 AF/year tertiary recycled water expansion to the Fresno-Clovis Regional Wastewater Reclamation Facility in accordance with the 2013 Recycled Water Master Plan and the 2014 City of Fresno Metropolitan Water Resources Management Plan update. Implementation of Mitigation Measure USS-5 is also required prior to approximately the year 2025. Verification comments:	Prior to exceeding existing water supply capacity	DPU and DARM			X			

Utilities and Service Systems – Adequacy of Landfill Capacity:

USS-22: Prior to exceeding landfill capacity, the City shall evaluate additional landfill locations, and shall not approve additional development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided. Verification comments:	Prior to exceeding landfill capacity	DPU and DARM						X

A - Incorporated into Project
B - Mitigated

C - Mitigation in Process
D - Responsible Agency Contacted

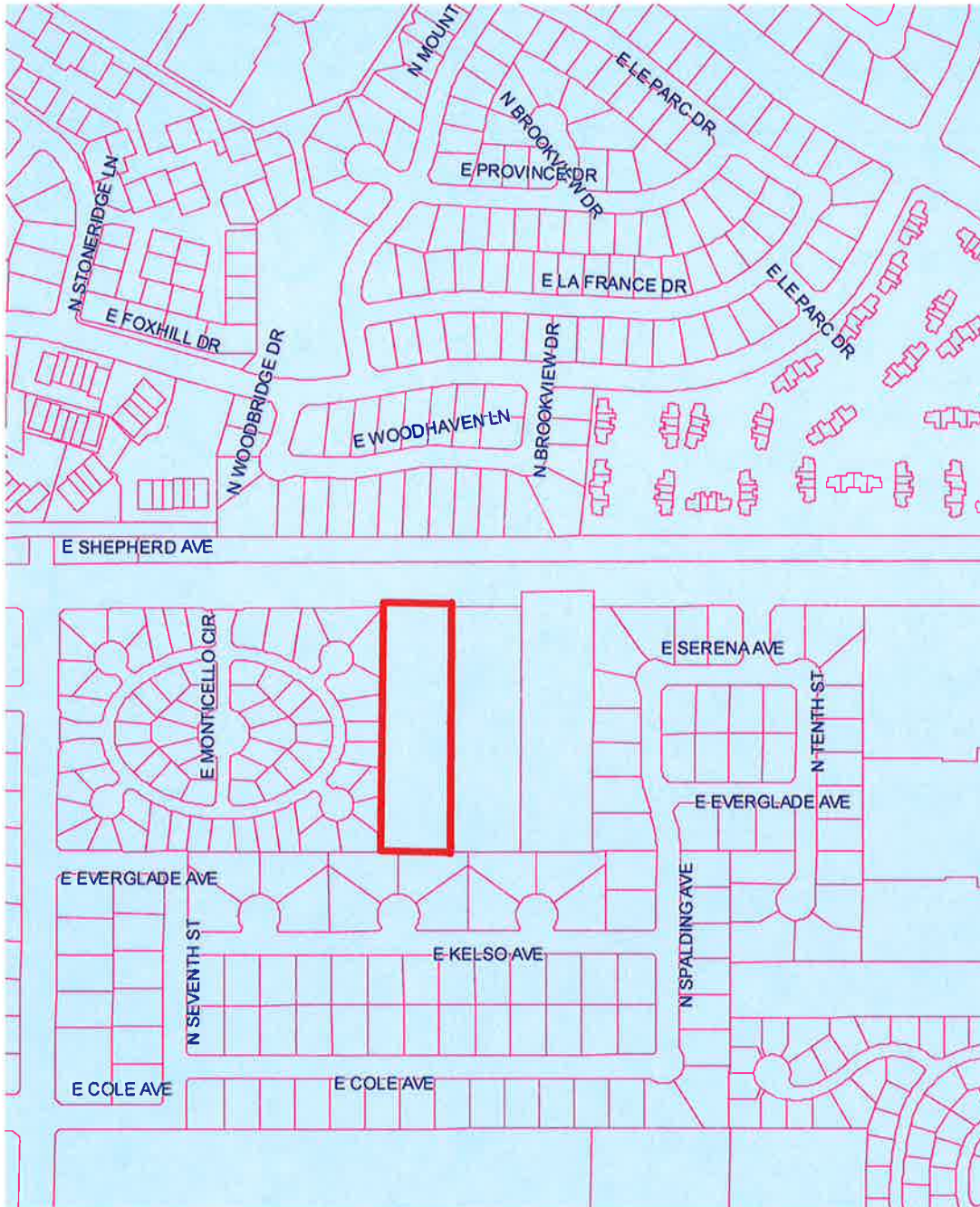
E - Part of City-Wide Program
F - Not Applicable

**EXHIBIT D-CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
PROJECT SPECIFIC MITIGATION MONITORING CHECKLIST
ENVIRONMENTAL ASSESSMENT NO. A-16-005/R-16-006/D-16-031**

Project/EA No. A-16-005/R-16-006/D-16-031

Date: June 3, 2016

	Mitigation Measure	Implemented By	When Implemented	Verified By
IX-Hydrology, X-Land Use & Planning, XIV-Public Services, XVII-Utilities & Service Systems.1	<p>IX,X,XIV,XVII.1 The developer is required to mitigate the impacts of the increased runoff from the proposed medium-high density residential land use to a rate that would be expected if developed to a medium-low density residential land use. The developer may either make improvements to the existing pipeline system to provide additional capacity <u>or</u> may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by the medium-high density residential land use development to a two-year discharge, which would be produced by the property if developed at a medium-low density residential land use. Implementation of the mitigation measures may be deferred until the time of development.</p> <p>IX,X,XIV,XVII.2 The developer is required to submit improvement plans to the Fresno Metropolitan Flood control District for review and approval showing the proposed method of mitigation prior to implementation.</p>	Applicant	Prior to issuance of grading and/or building permits.	Fresno Metropolitan Flood Control District & City of Fresno Development and Resource Management Department



Vicinity Map

Project Site



Address: 1161 East Shepherd Avenue

APN: 403-021-03





Plotted: Wednesday, March 16, 2016 10:48 AM

THE FOLLOWING KEYNOTES WILL ONLY BE IF YOU WILL ATTEND THE MEETING

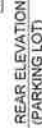
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CROATIA

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BUILDING ONE- EXTERIOR ELEVATIONS

D-3.1.4

31 AUGUST 2004
770931106

- ### ALL EXTERIOR FINISH NOTES

- ALL OUTDOOR WOOD, COLUMN & MATERIALS SHALL BE TREATED AT 15% MINIMUM.



P-3.2.4

[illegible]

8	PRELIMINARY CHARGE	DATE 04/11/01
9	-SEE ENLARGED STATE PLAN	
10	INDICATES EXPANSION OF INST (TYPICAL AS SCHEDULED)	DATE 04/11/01
11	SEE LOCAL	DATE 04/11/01
12	PRELIMINARY CHARGE	DATE 04/11/01
13	INDICATES EXPANSION OF INST (TYPICAL AS SCHEDULED)	DATE 04/11/01
14	SEE LOCAL	DATE 04/11/01
15	PRELIMINARY CHARGE	DATE 04/11/01
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48	PRELIMINARY CHARGE	DATE 04/11/01
49	INDICATES EXPANSION OF INST (TYPICAL AS SCHEDULED)	DATE 04/11/01
50	SEE LOCAL	DATE 04/11/01

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* Drew Court™

BUILDING THREE- EXTERIOR ELEVATIONS

P-3.3.4

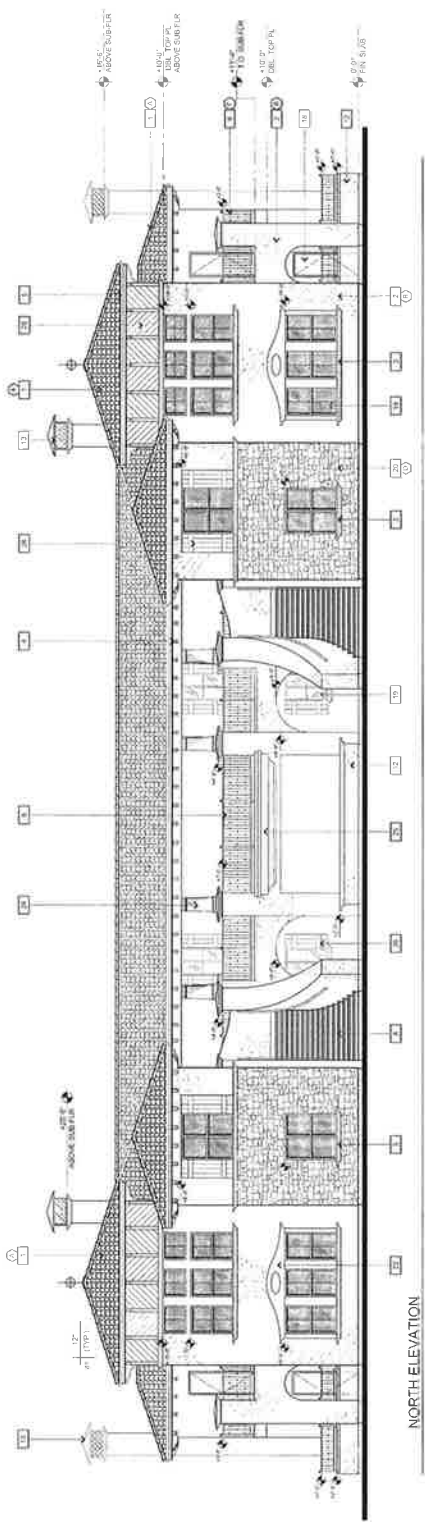
1	CONCRETE (ROOFING) TYP. OF PLASTER IN SOW-HIT	SEP. 01.01
2	UNIFORMITY OF ROOF SHEETING	
3	INSTALL ROOF PER MANUFACTURER'S SPECIFICATIONS	
4	STIFF MATERIALS FINISHES TO PLAST	
5	ADVERTISE FOR THE CEMENT PLASTER FINISHER TWO	
6	ROOF OF GABLE TO BE LAYED LAST LAY LAY LAY LAY	
7	ROOF AND WALL TRIM AT THE DOOR AND WINDOW	
8	CONCRETE, PLASTER, MAGNET, INSULATION, LIME	
9	STIFF MATERIALS FINISHES TO PLAST	
10	STIFF MATERIALS FINISHES TO PLAST	
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EXTERIOR FINISH MATERIAL
SCHEDULE

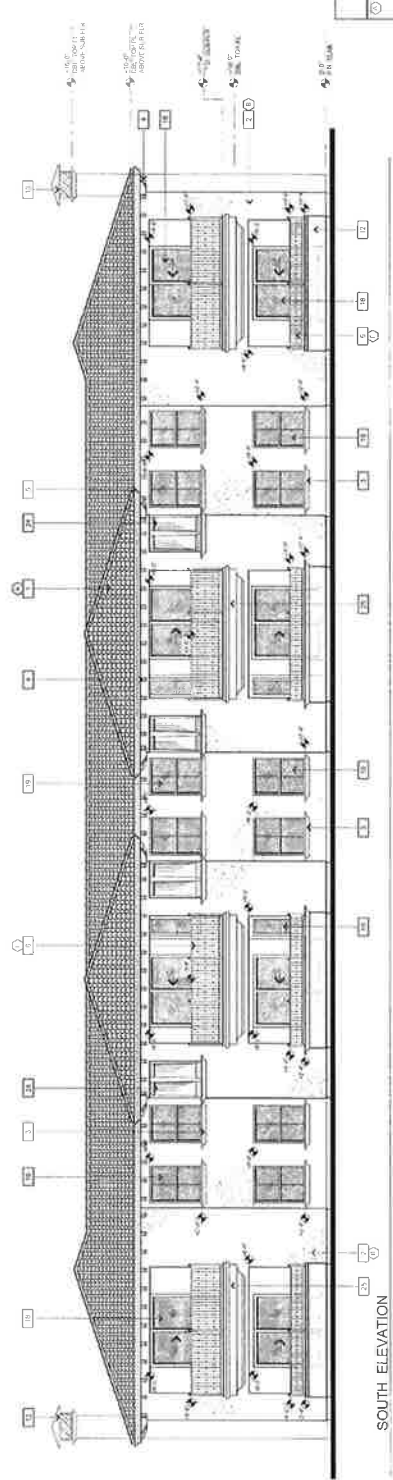
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GENERAL EXTERIOR FINISH NOTES

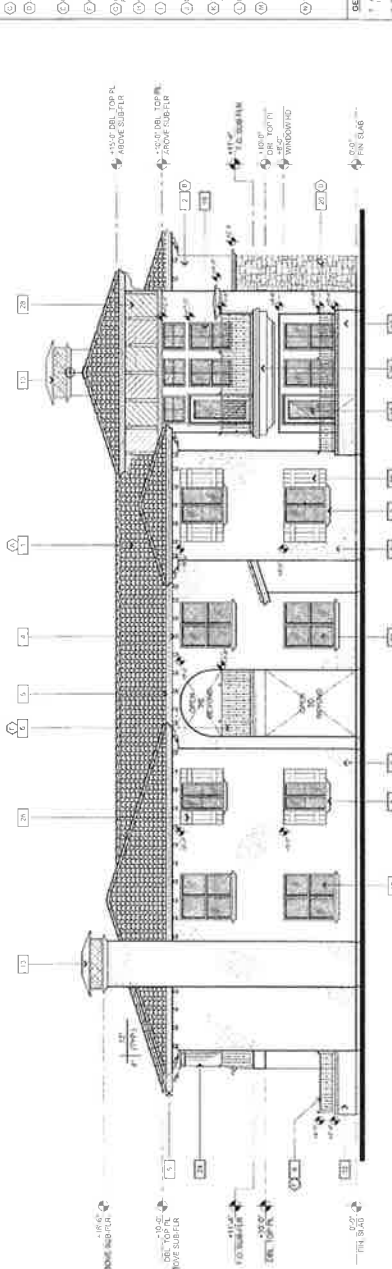
ALL FASTENERS (WAS. & NUTS) & MATERIALS SHALL BE APPROVED BY THE ARCHITECT.



NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION
(WEST ELEVATION SIMILAR)